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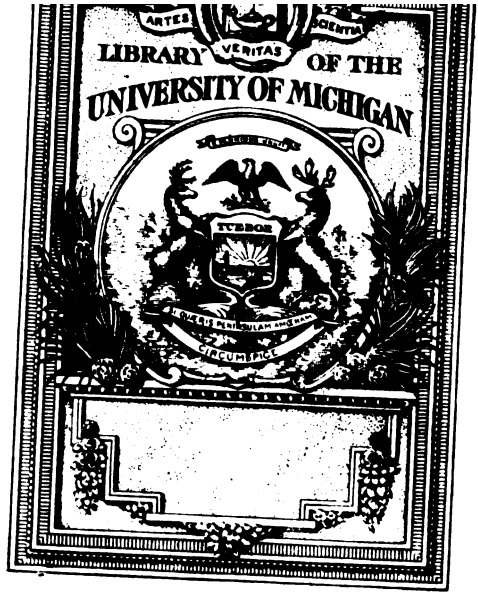
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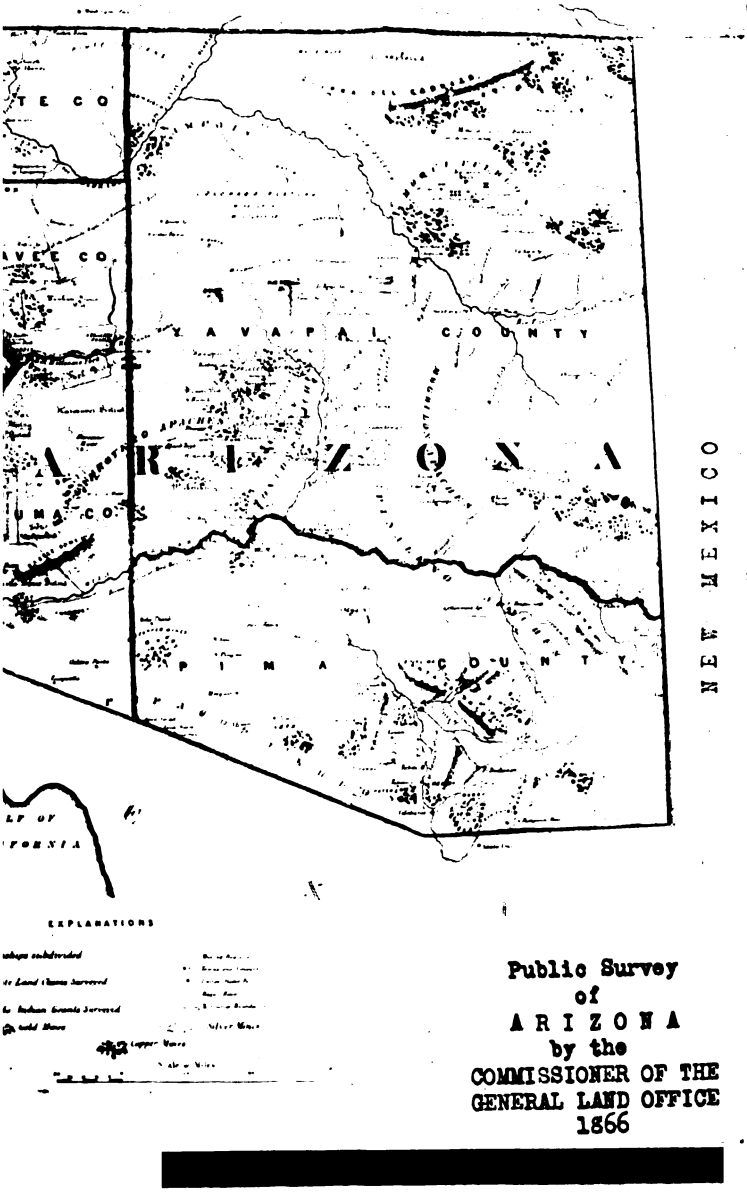
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GENERAL LAND OFFICE
1866

# HISTORY

OF

# ARIZONA



BY

THOMAS EDWIN FARISH,
ARIZONA HISTORIAN

VOLUME IV

PHOENIX, ARIZONA
1916

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THOMAS EDWIN FARISH,
ARIZONA HISTORIAN

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# HISTORY OF ARIZONA.

## VOLUME IV.



# HISTORY OF ARIZONA.

## CHAPTER I.

### CONDITIONS IN 1865.

LETTER OF R. C. MCCORMICK—AREA AND BOUNDARIES OF ARIZONA — METALLIC WEALTH—CLIMATE—APACHES—MEANS AND EXPENSES OF GETTING TO ARIZONA—FIRST COUNTIES—MAIL ROUTES.

No account of conditions in a country, state or territory can be so well stated in after years as related by someone living in the country at the time. On June 1st, 1865, Richard C. McCormick, then Secretary of the Territory, wrote a letter to the "New York Tribune," which was printed in that paper, and afterwards reproduced in pamphlet form under the title of ARIZONA: ITS RESOURCES AND PROSPECTS. It gives a concise, succinct account of conditions in the territory at that time, and is here reproduced:

"New York, June 1, 1865.

"To the Editor of the 'New York Tribune.'

"Sir,—I have pleasure in responding to your request for a brief and comprehensive account for *The Tribune,* of the resources and prospects of the Territory of Arizona, as now estimated by those familiar with the same. I think with you that such an account will be acceptable to the people of the Atlantic coast, the mass of whom have only a vague and unsatisfactory notion of the boundaries, the climate, the means

knowledge of more than the Colorad
trict, and those who are only famil
newly-opened central and northern
incompetent to furnish that compl
the Territory which is necessary t
understanding of its varied and e
sources, and to a proper estimate of
and prospects.

"In the beginning, I wish to corre
mon impression that Arizona, as ere
territory, contains only the tract o
quired under the treaty with Mexi
and familiarly known as 'The Gad
chase.' While but half of that tract
in the Territory (that portion west
longitude, the remainder being in Ne
a region of country north of the Gila
vastly greater in extent, is comprised
same. The general lines of the Te
thus defined in the organic act, app
ruary 24, 1863:—'All that portion of
Territory of New Mexico situate we
running due south from the point
southwest corner of the T

acres, a district three times as large as the State of New York.

"The locality of this broad area pre-supposes great metallic wealth. The mountain ranges are the prolongation of those which southward in Sonora, Chihuahua and Durango have yielded silver by millions for centuries past, and which northward in Nevada are now amazing the world by their massive returns of the precious ores. The general direction of the mountains and the veins is northwest and southeast, and there are numerous parallel ranges which form long valleys in the same direction. These and the broad and level bottoms of the rivers, which may be easily and cheaply irrigated by acequias or artesian wells, under which treatment the soils return an immense yield, and are independent of the seasons, produce, so far as tested, every variety of grain, grass, vegetables, fruits and flowers. While it has some barren and desolate country, no mineral region belonging to the United States, not excepting California, has, in proportion to its extent, more arable, pastoral and timber lands. Those who have asserted to the contrary have been either superficial and limited in their observations, or willfully inaccurate in their statements. In the language of a recent editorial in *The Arizona Miner:*

" 'For its extent, there is not a section in the United States which more abounds in glades and vales, and wide-spreading plains, suitable for cultivation, and only awaiting the hand of industry to blossom as the rose.'

"The climate, considered either in its relations to health and longevity, or to agricultural and mining labor, is unrivaled in the world. Dis-

...in order to a simple description
understanding of the whole Territor
speak of it in the several divisions c
the First Legislative Assembly, con
Prescott, in September last. That bod
ized the organization of four counties
be named after a leading tribe of India
ing within its borders.

"PIMA COUNTY.

"This county is bounded on the eas
line of the Territory of New Mexico
north by the middle of the main chann
Gila River; on the west by the line of
west longitude, and on the south by th
ine. The seat of justice is establi
Tucson.

"Pima County embraces all of 'The
Purchase' within the Territorial lines, e
he small portion west of 113° 20′ west l
which is in Yuma County), and is
nown portion of Arizona. This con
ts early settlement, the development
ines, and the extensive travel thr

or the incursions of hostile Indians than from any defect in the quality or quantity of the ore, or in the facilities for extracting and working the same. The ores are chiefly argentiferous galena, and are best adapted to smelting. Some of the mines at a depth, have a silver-copper glance, iodide of silver, and a mineral containing quicksilver. The copper ores of Pima County are surprisingly rich, yielding in some instances as high as 90 per cent of pure copper. They are chiefly red oxides and gray sulphurets.

"Wood and water if not immediately at hand may usually be had at a convenient distance. The Santa Rita Mountains have fine pine forests, and between Tubac and San Xavier is a timber district some miles in width, extending from the Santa Cruz River to the base of the mountains. The timber is mesquit and of a large size; for mining purposes it is well adapted; for building it is too hard and crooked. The cotton-wood is found on the margin of all the streams; it is of rapid growth, and well adapted for building. The adobe or sun-burnt brick is, however, the favorite building material. It is easily and inexpensively made, and laid in thick walls furnishes an enduring and comfortable house; better suited to the climate than any other. The agricultural and pasture lands of Pima County are very extensive. The valleys of the Gila, and Santa Cruz, the San Pedro, and other streams, are large and equal in fertility to any agricultural district in the United States. The San Pedro Valley, over one hundred miles in length, is, perhaps, the best farming district south of the Gila River. The Sonoita Valley,

which opens into the Santa Cruz near Calabazas, is some fifty miles long.

"Mr. Bartlett, United States Boundary Commissioner, thus describes the valley of the Santa Cruz:

"'This valley was traversed by the earliest Spanish explorers in 1535, seduced by the flattering accounts of Cabeza de Vaca, Marco de Niza and Coronado, led their adventurers through it in search of the famed cities of Cibola, north of the Gila; and before the year 1600, its richness having been made known, it was soon after occupied as missionary ground. Remains of several of these missions still exist. The mission church of San Xavier del Bac, erected during the last century, is the finest edifice of the kind in Arizona. Tumacacori, a few miles south of Tubac, was the most extensive mission in this part of the country. The extensive buildings, irrigating canals, and broad cultivated domain here at once attest its advantages.'

"The same authority pronounces the valley one of the finest agricultural districts, and presenting many advantages for settlers.

"In each of these valleys there is an abundance of water for irrigation, and both whites and Indians had raised large crops with little labor. Some of the old ranches now owned by parties engaged in working the mines, are noted for their exuberant growth of every variety of cereals, vegetables and fruits.

"The table-lands of Pima County are covered with a short and luxurious grass, upon which immense herds of cattle have been and still may be raised, and the grazing districts include many

of the mountain ravines as well as the lesser hills, where gramma-grass is found in abundance, and which is greedily eaten by horses, mules, sheep and horned cattle. This grass is very nutritious, and even when dry and parched by the heat of the summer is eagerly sought after by the animals.

"Tucson, the principal settlement of Pima County, is in the Santa Cruz Valley. It was a prominent station upon the Butterfield route. Of late years it has been much improved, and the recent opening of several rich mines in close proximity to the town will give it increased business and importance. Its population is largely Spanish, and the same may be said of all the settlements in Pima County.

"Other towns in the mining districts south of Tucson and Tubac and upon the Gila River, are becoming of consequence as the agricultural and mineral development of the country progresses.

"Their growth is somewhat retarded, as is the prosperity of the whole country, for the want of an American port upon the Gulf of California, by which route goods and machinery might be speedily and economically received. The great oversight of the United States in the failure to acquire such a port when it might have been had without difficulty or expense is keenly and constantly deplored, and it is the hope of every one living in or interested in Southern Arizona that the government will by negotiation (if coming events do not afford other means) soon secure either the port of Libertad or Guaymas, or both. Indeed, the geographical relations of the State of Sonora to Arizona and our access to the Pacific are such

roads are easy and supplied with g
water. The transportation of mining
from Los Angeles or Fort Yuma as is n
sary in order to escape the heavy duties
n Sonora, although entirely practic
volves much more of overland travel a
quently increased delay and expense.

"YUMA COUNTY.

"This county is bounded on the eas
ine of 113°, 20′ west longitude, on the
the middle of the main stream of th
Maria, to its junction with Williams
hence by the middle of the main ch
said stream to its junction with the
River; on the west by the main chann
Colorado, and on the south by the Son
The seat of justice is established at
Of the two counties upon the Colorado
nd Mohave) this has at present the
opulation. Until 1862 it was compa
nknown for any distance above Fort
ndeed, the Colorado had barely been e
ves had been up with his little steam

"The discovery of gold on the Gila River, about twenty miles from its junction with the Colorado, attracted considerable attention, and prompted the laying out of Gila City, but it was not until 1862 that emigration started up the Colorado. At that date the finding of rich placers at Chimney Peak, twenty miles above Fort Yuma, and at various points from eight to twenty miles back of the site of the present town of La Paz, one hundred and ten miles from the fort, drew a large number of miners and prospectors from California and Sonora. The subsequent discovery of multitudinous silver and copper mines upon and adjacent to the river, in what are now known as the Yuma, Castle Dome, Silver, Eureka, Weaver, Chimehuiva, and La Paz mining districts, and the opening in 1863 of the interior country (Central Arizona) have given it an activity and importance second to that of no portion of the Territory. As yet its settlements are all upon the river. La Paz, the chief of these, is a busy commercial town of adobe buildings, with a population about equally American and Spanish. It has some stores that would not do discredit to San Francisco, and enjoys a large trade, extending up and down the river and to Central Arizona.

"Castle Dome, Mineral City and Olive City, all upon the Colorado, between Fort Yuma and La Paz, are mining towns yet small, but destined to become of consequence as the depots of mining districts of great richness, which cannot long remain undeveloped.

"The silver ores of Yuma County are mostly argentiferous galena. Those of Castle Dome

district, forty miles above Fort Yuma, according to Prof. Blake, are found in a vein stone of fluor spar.

"The same authority reports the copper ores as nearly all containing silver and gold; some of which gave forty per cent of copper and yield at the rate of sixty ounces of silver to the ton.

"A quicksilver mine discovered near La Paz is attracting considerable attention in San Francisco.

"The face of Yuma County is for the most part mountainous and barren, although the Colorado bottom, and occasional valleys are fertile, and the Indians have fine crops. Wood sufficient for fuel and for present mining operations is found in the mountain ravines and along the streams.

"A main highway from the Colorado to Central Arizona starts from La Paz, and is one of the smoothest natural roads I have ever seen. Its course to the Hassayampa River (one hundred and ten miles) is almost an air line, and in the whole distance there is nothing to obstruct the passage of the frailest vehicle or of the heaviest train. It lacks a sufficiency of water and of grass for animals, and a company chartered by the Legislature is taking steps to provide wells and feeding stations. The road will connect at La Paz with that from San Bernardino, which is smooth, with but little sand, and already provided with tanks and stations. The whole distance from San Bernardino to Prescott, the capital of the Territory, is less than three hundred and fifty miles. Emigrants from California to Central

Arizona travel by these roads, or by those of about the same length from San Bernardino to Fort Mojave, and from there to Prescott.

"Sixty miles from La Paz, on the road to Prescott, are the Harcuvar Mountains, which contain numerous valuable copper lodes, and the Penhatchapet Mountains, wherein very rich gold quartz has been found.

"MOHAVE COUNTY.

"This county is bounded on the east by the line of 113° 20′ west longitude; on the north by the parallel of 37° north latitude; on the west by the line of the State of California and the middle of the main channel of the Colorado River, and on the south by Williams' Fork and the main channel of the Santa Maria River above its junction with the latter stream. The seat of justice is established at Mojave City. This county lies directly north of Yuma County and is of the same general character.

"Ascending the Colorado, the first point of interest is Williams' Fork, the southern line of the county. It is the largest tributary of the Colorado, and has its rise in the interior country almost as far east as Prescott. It is not navigable but usually has a good body of water. Some of the richest copper mines in the Territory are near to its bank, and have already been extensively and profitably worked. Quantities of the ore sent to Swansea have give a larger return than was expected, and it is clearly demonstrated that it will pay to ship to that place, or to Boston, if reduction works cannot be reached at a nearer point.

"A road along Williams' Fork and its tributary the Santa Maria, leads to Prescott, but it

will need considerable work to be made popular. A company was chartered by the Legislature to improve it. In the opinion of Capt. Walker, the veteran pioneer of Central Arizona, and of others, the junction of Williams' Fork and the Colorado is the natural and best point for a large town or city; and a town named Aubry has been laid out there.

"Fort Mojave, upon the Colorado, one hundred and sixty miles above La Paz, is a noted point, and one of the longest occupied in the Territory by the whites. Within a mile of the fort is Mojave City, a sprightly town laid out and chiefly built by the California volunteers stationed at the fort for two or three years past. There are some good agricultural lands in the vicinity, and gardens abound. The visit of the chief of the Mojave Indians (Iretaba) to New York and Washington in 1863–4, gave him such an exalted opinion of the white man and the power of the general government, that he has not ceased to urge his people to the most friendly relations, and to habits of industry and enterprise.

"At Mojave, as at La Paz and Fort Yuma, there is a well regulated ferry across the Colorado, with scows calculated to convey wagons and stock.

"Hardyville, nine miles above Mojave, upon the Colorado, is a young, but active and hopeful settlement. It has a large trade from the quartz mining districts around it, and even from the Wauba Yuma district, forty miles in the interior, and from Prescott, the capital, one hundred and sixty miles inland.

"Recently the Utah people have flocked to Hardyville for their annual supplies finding it much easier than to go, as heretofore, to San Bernardino and Los Angeles.

"The mines of the several districts contiguous to Mojave and Hardyville, and of El Dorado Canyon, sixty miles further up the river, are among the most noted and promising in the newly known portions of Arizona. The ledges are many of them very large; the ores both of gold and silver, the latter predominating, are surprisingly rich. Considerable money has already been expended in opening the lodes, one or two mills are in operation, and others are contracted for. Immediately upon the river there is a dearth of wood, but a supply may be had from the Sacramento and Wauba Yuma districts, and from the Vegas, thirty miles north of El Dorado Canyon, or from the Buckskin Mountains, one hundred miles north. Rafted down the river, it would cost but little more than for the cutting.

"The navigation of the Colorado above El Dorado Canyon has only been attempted (excepting by Ives) since the Mormon trade began to attract attention and assume importance. It has now been ascertained by trial that steamboats may ascend at all seasons to a point one hundred miles north of Hardyville, and less than four hundred miles from Great Salt Lake City, by a road over which goods may be hauled without difficulty. At this point upon the River a town named Callville is just begun. It will be the depot for Utah, and, of course, more convenient than Hardyville. Callville is but a little more than one hundred miles south of St.

George, a thrifty Mormon town close upon the Arizona line, if not within the Territory, and from which place and the fertile district about it, supplies of cheese, butter, vegetables and fruit have already found their way to the mining districts of El Dorado Canyon, Hardyville and Mojave.

"The Colorado is the largest river between the Mississippi and the Pacific, and the only navigable stream in Arizona. Its position between the Territory and California, its connection with the Gulf and the Pacific, the vast mineral wealth of its banks, and the important trade of Arizona and Utah, make it a most valuable highway, and one to the navigation of which careful attention should be given. With a constantly changing channel, a swift current and a bed of quicksand, it requires experience, patience and skill to conduct the steamers with safety. These are necessarily of light draft and limited accommodation for freight. It is believed that those now in use may, by remodeling, be greatly improved in speed and capacity, and that freight may be delivered at much less cost of time and money than is now required. In the upper part of the river are a few obstructions, for the removal of which a small appropriation has been asked from Congress.

"The present rates of freight are from two to three cents per pound from San Francisco to towns as high up the river as La Paz, and four cents to Hardyville; probably six to Callville. Ore is carried to San Francisco for from $20 to $25 per ton. This is considerably cheaper than transportation can be had by the roads across California. As yet there is only an ir-

regular line of sailing vessels from San Francisco to the mouth of the Colorado (one hundred miles below Fort Yuma), and upon an average, three weeks are consumed in making the voyage. With a line of propellers as projected, this time might be reduced to a week or ten days.

"YAVAPAI COUNTY.

"This county is bounded on the east by the line of the Territory of New Mexico; on the north by the parallel of 37° north latitude; on the west by the line of 113° 20′ west longitude; and on the south by the middle of the main channel of the Gila River. The seat of justice is established at Prescott, which is also the capital of the Territory. Yavapai County embraces a part of Arizona as yet unknown to the map makers, and in which the Territorial officers arrived hard upon the heels of the first white inhabitants. Until 1863, saving for a short distance above the Gila, it was even to the daring trapper and adventuresome gold-seeker a *terra incognita,* although one of the richest mineral, agricultural, grazing and timber divisions of the Territory; and abundantly supplied with game. Yavapai County is nearly as large as the State of New York. The Verde and Salinas Rivers, tributaries of the Gila, which run through its center, abound in evidences of a former civilization. Here are the most extensive and impressive ruins to be found in the Territory. Relics of cities, of aqueducts, acequias and canals, of mining and farming operations and of other employments indicating an industrious and enterprising people. Mr. Bartlett refers to these ruins as traditionally re-

ported to him to show the extent of the agricultural population formerly supported here, as well as to furnish an argument to sustain the opinion that this is one of the most desirable positions for an agricultural settlement of any between the Rio Grande and the Colorado. The same authority says a district north of and immediately contiguous to the Gila River, is *par excellence,* the finest agricultural district in our territories lying in the same latitude, between Eastern Texas and the Pacific, for the great extent and richness of the soil, the abundance and excellence of the water, the cottonwood timber for building purposes, the fine quarries of stone in the adjacent hills, and for the facility with which it may be approached from every quarter.

" 'The district in question lies at the junction, and in a measure forms the delta of the Salinas and Gila Rivers. It lies but a little above the bed of the river, and might be, in consequence, easily irrigated. The arable bottom land is from two to four miles in width, and is overgrown with mesquit, while on the river's margin grow large cottonwoods. The river is from eighty to one hundred and twenty feet wide, from two to four feet deep, and both rapid and clear. In these respects it differs from the Gila, which is sluggish and muddy for two hundred miles.'

" 'A portion of the Gila Valley is occupied by two tribes of Indians, noted for their good traits, the Pimas and Maricopas. The lands cultivated extend from sixteen to twenty miles along the river, centering at the Pima villages. Irrigating canals conduct the water of the Gila over all the district. The Indians raise wheat,

corn, millet, beans, pumpkins and melons in great abundance. They also raise a superior quality of cotton from which they spin and weave their own garments. There is a steam grist mill at the Pima villages, and a large quantity of excellent flour is annually made. I have no doubt that the Gila bottoms alone afford arable land sufficient to raise food for a densely populated State. But these are by no means all of the agricultural lands of Yavapai County. The Val de Chino, so called by Whipple, where Fort Whipple was first established, and the Territorial officers first halted, is nearly one hundred miles in length and abounds in tillable and pastoral lands. The valley of the Little Colorado, on the 35th parallel, is large and well adapted to cultivation. There are numerous other valleys near to Prescott, and the road from the Colorado River, via Mojave and Hardyville, to that place, is described by a recent traveller as being 'for over a hundred miles of the way, a prairie country that would compare with the best in the world for grazing, and with most of the Western States for agriculture.'

"In timber lands Yavapai County exceeds all others in the Territory. Beginning some miles south of Prescott, and running north of the San Francisco Mountain, is a forest of yellow pine, interspersed with oak, sufficient to supply all the timber for building material, for mining and for fuel that can be required for a large population.

"At a distance of forty miles north of the Gila River, Yavapai County becomes mountainous, and on every side are mines of gold, silver and copper. The placer diggings upon the

Hassayampa, the Agua Fria, Lynx Creek, and other streams in this region, now known as Central Arizona, were first found by the explorers, Capts. Walker and Weaver, in 1863. They entered the country simultaneously, though without concert of action, one coming from the Gila and one from the Colorado. In the same year the quartz lodes attracted attention, and people flocked to the district from all quarters. The Territorial officers, then on the Rio Grande *en route* for the Territory, were induced to turn westward, via the 35 parallel or Whipple route, and make a personal examination of the country. The investigations of Governor Goodwin, who spent some months in travel over the Territory, going as far south as the Sonora line, and east to the Verde and Salinas, convinced him that this promised to be a most important and populous section, and here he concluded to convene the first Legislative Assembly.

"Prescott, the capital, is in the heart of a mining district, second, in my judgment, to none upon the Pacific coast. The surface ores of thirty mines of gold, silver and copper, which I have had assayed in San Francisco, were pronounced equal to any surface ores ever tested by the metallurgists, who are among the most skillful and experienced in the city, and, as far as ore has been had from a depth, it fully sustains its reputation. The veins are large and boldly defined, and the ores are of varied classes, usually such as to be readily and inexpensively worked, while the facilities for working them are of a superior order. At the ledges is an abundant supply of wood and water; near at hand are grazing and farming lands, and roads may be

opened in every direction without great cost. Some of the streams are dry at certain seasons, which fact renders placer mining an uncertain enterprise in this part as in other parts of the Territory; but for quartz mining there could not possibly be a more inviting locality. The altitude is so great that the temperature is never oppressively warm; the nights, even in midsummer, are refreshingly cool and bracing. The ascent from the river by the roads from La Paz and Mojave is so easy that with the small amount of work already done upon the same, the heaviest machinery may be readily transported. The distance by either road is about one hundred and sixty miles and the charge for freight from six to eight cents per pound. Contracts may now be made for the delivery of machinery at Prescott from San Francisco, via the Colorado, for ten cents per pound.

"Prescott is built exclusively of wood, and inhabited almost entirely by Americans, mainly from California, and Colorado. Picturesquely located in the pine clad mountains, it resembles a town in Northern New England. The first house was erected in June last, and now the town has some hundreds of inhabitants, and the country for fifty miles about, including a dozen mining districts and farming valleys, is largely taken up by settlers. The valleys will, it is thought, produce good crops without irrigation, as the rains in this region are frequent and heavy.

"Weaver and Wickenburg, upon the Hassayampa, the one fifty and the other seventy miles south of Prescott, and each about one hundred and ten miles east of La Paz, upon the Colorado, are mining towns and centres of a considerable

business. The former is at the foot of Antelope Hill, upon the summit of which very rich placers were discovered early in 1863, the working of which paid largely for a year or more—and probably would at present with a proper arrangement for the elevation of water. Maricopa Wells and Pima villages in the Maricopa and Pima reservations upon the Gila, about one hundred and twenty-five miles southeast from Prescott, and some eighty miles northwest from Tucson, are places of Indian trade, and depots of grain and other supplies for the troops in the Territory. Eastward from Prescott, upon the Agua Fria, the Verde, the Salinas and other streams, all the way to the New Mexican line, exploring parties have discovered evidences of great mineral wealth and excellent agricultural districts. Northward to the villages of the Moquis, and the San Juan River, the country is but little known, but believed to be prolific in the precious ores, and in timber.

"Some of the most promising districts in the Territory have not yet been prospected at all, and others only in a most superficial manner. It is the opinion of many that the richest mines are yet unfound, and lie eastward from Tucson and Prescott; but if one in ten of those already known yield such a return, upon the introduction of proper machinery, as is promised by the indications and tests had to this time, Arizona will far excel all other territories of the Union in its metallic revenue.

"CONCLUSIONS.

"This succinct description of the four counties into which Arizona is at present divided,

will, I trust, satisfy the reader that the Territory is neither the hopeless desert nor the inaccessible region which some have pronounced it. Its resources are varied, and have only to be rightly improved to render it a prosperous and powerful State. Though hitherto, for the want of roads and the means of conveyance, considered remote and isolated, it is in fact central, and upon the best highways from the Rio Grande to the Pacific. The inevitable continental railroad can follow no parallels more favorable for its economical construction and successful working than the 32d or 35th.

"For a year after the organization of its government the Territory was without a mail or postoffice. Now a weekly mail is established between Los Angeles and Prescott, and eastward to Santa Fe via the 35th parallel, where it connects with that for the Missouri River. Other routes are proposed, and will at once be authorized. A company is organized to furnish telegraphic communication between Los Angeles and Prescott, and it will doubtless be had at an early day, and so put the Territory in immediate communication both with the Pacific and the Atlantic coast. Once built to Prescott, and the project is entirely feasible, the line could soon be extended eastward to Santa Fe and Denver.

"The Indians of Yuma and Mojave Counties are all peaceable and well-disposed to the whites. The Papagoes of Pima County, and the Pimas, Maricopas, Yavapais, Hualapais, and Moquis, of Yavapai County, are equally friendly. Those not already upon reservations will be so placed at an early day, and become a producing people. A reservation for the Colorado tribes was des-

ignated by the last Congress. It is upon the river between La Paz and Williams' Fork, an exceedingly fertile tract.

"The Apaches alone refuse reconciliation to the whites. Their depredations have been the serious drawback to the settlement and development of the Territory. Far more than any lack of agricultural lands, of water, or of timber, has their hostile presence delayed the incoming of a large white population. By frequent and vigorous onslaughts from military and civil expeditions, their warriors have, it is believed, been reduced to *less than a thousand.* These have their retreats in the rugged mountains eastward of the Verde and the Salinas, and on the upper Gila. Their subjugation or extermination, while a matter of some difficulty, owing to their agile movements and entire familiarity with the country, cannot be a remote consummation if the present military force in the Territory is allowed to remain undisturbed in its campaign. The difficulty hitherto experienced has been in the interruption, by some new disposition of the troops, of every movement, however well planned. I think I may safely predict that if Arizona is left in its connection with the Department of the Pacific, and under the command of General Mason, who is alive to the necessity of destroying forever the power of the Apache, it will speedily be rendered as safe for residence and business, even to its eastern boundary, as it now is from the Colorado to the Verde.

"If the government had ever dealt with the Apache with the force and pertinacity with which it has handled the Sioux, hundreds of valuable lives would have been saved in Arizona, a

great population would have entered the Territory, and, long ere this, its opulent mines and agricultural lands would have been so worked as to surprise the nation and the world with their returns.

"Primarily a quartz mining country, the settler in Arizona must not expect the quick wealth often obtained from the placers. These, while numerous and rich, are not, as before stated, to be depended upon. To engage in quartz mining, on his own account, he will need some means. The introduction of machinery now going forward, both from the Atlantic and the Pacific, and the extensive development of the mines, will make a demand for labor at remunerative wages. There will also be an encouragement for the trades. Mechanics of all kinds will be needed. For farmers and herdsmen there is an immediate inducement. The expense of mining operations can in no way be so speedily reduced and the general prosperity of the Territory advanced, as by the extensive production of bread and meat. This is a first necessity, and may at once be made a source of profit to those who engage in it with willing and persevering hands.

"In conclusion, I recommend Arizona to our discharged volunteers, and to all unemployed persons who seek a wholesome climate, and a new and broad field for energetic industry. To all who are ready to labor, and to wait even a little time for large success, it is full of promise. The day cannot be distant when it will occupy a first rank among the wealthy and populous states. Its mountains and valleys teeming with cities and towns, musical with implements of mining and agriculture, its great river burdened with traffic, and its people thrifty and happy, the

wonder will be that it was ever neglected by the government, and by capitalists, as an insignificant and unpromising possession.

"The white population of the Territory is largely composed of industrious, intelligent and enterprising persons. Many families have arrived since the organization of the government, and a large emigration from the Missouri, the Rio Grande and the Pacific is expected within the present year.

"The Territorial government is now fully organized in all its departments. Law and order everywhere prevail. The courts are in operation. Schools have been established in the leading settlements, and the printing press is doing its part to build up society and promote substantial prosperity. A code of laws unusually thorough and complete was adopted by the Legislature. The chapter regulating the location, ownership, and development of mining lands, is pronounced the best ever devised upon the subject, and is urged for adoption in some of the older Territories. It is a guarantee to those who acquire mining interests that their rights will be carefully guarded, and it will be likely to save much of the annoying and expensive litigation hitherto common in mining districts.

"This letter would, perhaps, be incomplete without some allusion to the means and expense of getting to Arizona. The emigrant by land from the Missouri may with ordinary wagons and animals make the journey to Tucson or Prescott in 90 days, going via Santa Fe. Arrived in the Territory he may sell his wagons and animals for as much, if not more, than they cost him upon the Missouri. He will experience no danger from Indians on the route if with a party of a

dozen or more determined men. The roads are good and fairly supplied with grass and water. That via the 35th parallel from Santa Fe on the Rio Grande, being by the pass of Zuni, one of the easiest in the Rocky Mountains; that via the 32d parallel, from Mesilla on the Rio Grande to Tucson, is also level and easy.

"The emigrant going by water may now get passage to San Francisco at a low rate, and from there he may go by land or water to Los Angeles also at a reasonable cost. From the latter point the roads to the Colorado and to Central and Southern Arizona are good. Wagons and animals may be purchased on fair terms at Los Angeles. Those who wish to take goods, mining or agricultural implements with them, can do so from the Missouri better, I think, at this time than from the Pacific, owing to the difference in the currency. All emigrants should start provided with a supply of provisions for one year, and with flannel rather than linen clothing, even for the warmest parts of the Territory.

"Any further information regarding Arizona, its resources and prospects, that I can furnish, is at your command, and that of any who have an interest in the Territory.

"I am, Your Obedient Servant,

"RICHARD C. MCCORMICK,

"Secretary of the Territory."

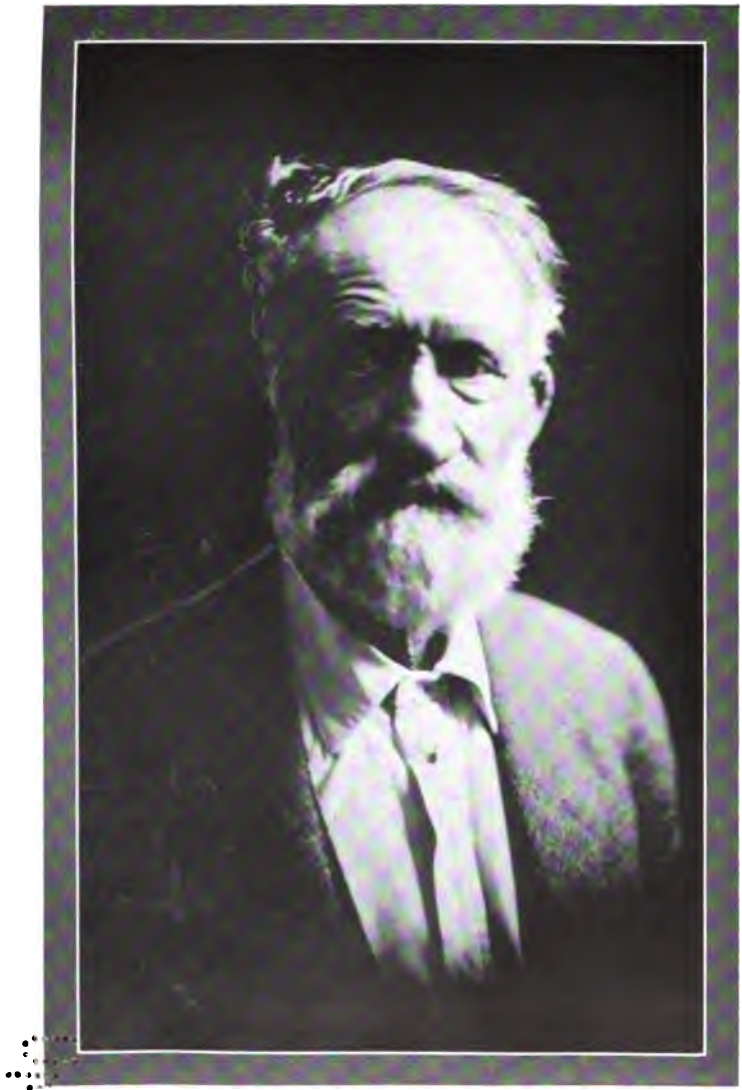
The foregoing letter, in the main, stated the facts as they existed at the time. Very little was known of Arizona. The accompanying map will show the principal places of settlement, which were few and far between. Of course, Secretary McCormick was an optimist, but when he states that all the tribes of Indians along the Colorado were at peace with the whites, that statement can

be easily controverted. It was dangerous at any time for a small party to go from any point on the Colorado River to Prescott, as their stock would be stolen and their lives endangered, and at the end of the year 1865, the Wallapais, the Yavapais and the Mohaves were at open war with the whites.

There was a reservation established on the Colorado River in the latter part of this year, which was occupied by a portion of the Mohave tribe, but they could not be considered peaceable, for, in the following year, 1866, they killed their Indian agent, as will be seen further on in this work, and anyone who had the hardiness to attempt to make a home beyond the protection of the military, took his life in his own hands.

Secretary McCormick says there was only a thousand warriors among the hostile Apaches. In this he was clearly mistaken. To say nothing of the bands upon the Colorado, which were Yumas and not Apaches, those tribes in the eastern part of the Territory, Mescaleros, Chiricahuas, Pinalenos, Coyoteros, Tontos, White Mountain Apaches, and Apache-Mohaves, a branch of the Mohaves which had separated from their original tribe and affiliated with the Tontos, would probably muster more than two thousand warriors. They were all fighters and strategists, never venturing to fight in the open field unless they far outnumbered the foe. At no time could an immigrant party of ten or twelve, encumbered with wagons, stock and their families, enter Arizona with safety from New Mexico. Particularly was this the case with reference to the lower part of the Territory, along the old Butterfield route, where the bands of Mangus and Cochise held undisputed sway.





CHAS. B. GENUNG.

## CHAPTER II.

### EARLY CONDITIONS IN THE TERRITORY.

CHARLES B. GENUNG—HIS STORY OF HOW HE BECAME A HASSAYAMPER—MEMBERS OF THE PARTY—DESCRIPTION OF TRIP FROM SACRAMENTO, CALIFORNIA, TO ARIZONA—LOCATION OF MONTGOMERY MINE.

Charles B. Genung was born in Yates County, New York, on the 22d of July, 1839. When about sixteen years old he came with his family to California, and from there came into Arizona in 1863. He married in Arizona and raised a large family. He is still living on a ranch in Kirkland Valley, and will figure quite extensively in this history, as it progresses.

The following, from the pen of Mr. Genung, will give the reader a general idea of conditions in the Territory at that time:

"HOW I BECAME A HASSAYAMPER.

"On July 27th, 1863, with a weak lung and bad cough, I left the fogs of San Francisco and went to Sacramento, and stayed long enough to contract a good strong case of chills and fever, which sent me back to my home in San Francisco, where I contracted a bad cold, which, with a chill every other day, and a bad cough every night and morning, soon had me confined to my room and bed most of the time.

"My mother realized that I had to get away to some better climate, so when Dr. John R. Howard, a friend of ours, suggested a trip overland to Mexico, we both, mother and I, concluded that this was the best thing that I could do. It

was soon arranged that Dr. Howard and I should go to Los Angeles by stage, there to outfit for the trip to Mexico.

"A prospector named Jack Beauchamp, whom I knew, called on me one day after I had decided to go to Mexico. I told him of my plans and he said he would go with me if it was agreeable. In two days we started by stage, Beauchamp and my mother helping me to get to, and into, the stage. We stayed the first night at San Jose; the next morning we started, and did not stop only to change horses and eat till we got to Los Angeles, five days and nights travel.

"I was entirely worn out, but felt better than I did when I left San Francisco. We, the doctor, Jack, as we called Beauchamp, and I, had arranged to buy saddle horses and a pack horse, and go via Yuma and Tucson to Hermosillo, but in Los Angeles we met the news of a big find of placer gold at Rich Hill. So, after getting all the information we could, we decided to go via La Paz, take in the new strike, then on to the Pima Villages, where we would strike the Tucson and Yuma road.

"We soon had our outfit ready and at San Bernardino two more men joined our party, Cal Ayers and Ben Weaver, a half-breed son of Pauline Weaver. We were very glad of the company of these men, as Weaver had been over the road and knew all the water. The second day from San Bernardino we camped at a spring in a cave of the San Jacinto Mountains, called Agua Caliente. There my horse took a run on his rope and broke it, and started back to the settlements. I tried with the doctor's horse to head him off, but could not. There I was on foot and thirty miles out in the desert

from Hobles ranch, the last white man's place in California at that time.

"I offered twenty dollars to any one who would get the horse and return him to me. Weaver undertook the job, and started right back, after instructing us to go ahead next day twenty-eight miles to an Indian ranch called Toros, where there was grass for our stock, there being none at Agua Caliente.

"I was to wait for Weaver to come up with my horse. I remained at the spring till about nine o'clock next morning, when a party of men rode up from the east, one of whom I recognized as a Dr. Webber whom I had met several years before at Webber Lake in the Sierra Nevadas. I made inquiry about the new gold field, and after telling me something about the new country, Dr. Webber walked me off a few steps from his party, and told me that he had on his pack mule, forty thousand dollars in gold, which he had taken out of his claim on Rich Hill since May, he being one of the eight original locators.

"He also told me that he was afraid of his companions, as they were a bad lot, but he intended to get to Dr. Smith's ranch that night, and then to San Bernardino. I guess he was right about his companions, for 'Boss Danewood,' one of them, was hanged in Los Angeles shortly after that by a mob.

"Dr. Webber also told me that there was a water hole at a point of the mountain, which we could plainly see about eight miles from us. After what Webber had told me about the gold and the nearby water, I became uneasy and anxious to get on, so I filled my gallon canteen with the warm water, hung my saddle, bridle and other equipment in a mesquite tree where

Weaver would be sure to see them, and started to make the twenty-eight miles to Toros on foot. I drank all my water before I got to the point of the mountain that Webber had pointed out to me, and was getting very tired, and what made it worse for me, the soles were beginning to rip from my boots, a pair I had had made in San Francisco, and they were old and thread rotten. The hot sand would work into my boots and scour my feet until I would have to sit down and empty it out. This was drifting sand, such as formed the sand hills that once stood where Market Street, San Francisco, now is.

"Well, I trudged on as best I could, with my tongue perfectly dry. I finally reached what was then called Indian Wells, which the Indians had dug, and which in wet seasons had plenty of water, but at this time there was just a very little water in it, and that thick with insects. However, I got some of the stuff, and with a tin cup and handkerchief strained it into my canteen, and managed to swallow a little of it. It did not stay swallowed very long, still it put a little moisture into my mouth and relieved my thirst a little.

"I realized that I was in a bad fix, as I had heard Weaver say it was ten or twelve miles from Indian Wells to Toros. I pulled myself together, and after emptying the sand out of my boots, I started on. I had travelled something like a mile, when turning around the point of a sand hill, I came on a hole of water that had settled in the road from a recent rain. I was down on my hands and knees drinking like a horse in less time than it takes to write it. Although the water was as hot as a hot sun could make it, it tasted good to me. I drank until

I could hold no more, then, filling my canteen, I made another start for the Toros. The unexpected happened. I had not travelled more than a half hour when I met Beauchamp coming with a led horse and saddle. That was the finest horse that I ever set eyes on. Beauchamp had made up his mind after he got to Toros that I would get uneasy and start to follow on foot, so he took the doctor's horse and started back to meet me, and it was a good thing he did, as I was about all in. My feet were badly blistered, and the water I had drank made me very sick at the stomach.

"We stayed two days at Toros to rest the horses. Weaver came up to us on the second day with my horse. We only travelled a few miles next day to an Indian village, where there were a few old Indians and some small children. The place was called Cabezon, named after an old Indian who had a very large head. There we stayed one night and bought corn fodder for our horses, the salt grass at the Toros having made them all sick.

"The Indians at Cabezon told us a strange story of a ship which they said lay out in the great basin that is now the Salton Sea. They said that at one time that country was all under water, and the water full of fish. They pointed out the great water line on San Jacinto Mountain to the west of us and said that it was where the water had marked the rock. Any parties travelling on the Southern Pacific trains from Los Angeles to Yuma may see the same water marks now.

"The next day's travel was across the north end of the then dry lake. The surface was as

white as snow and as hard as ice. A hard day's travel brought us to the Dos Palms springs, where we stayed two nights to let our horses rest and graze. There was a mud volcano about one and one-half miles from the springs, where there was an abundance of fairly good grass. Encamped at the springs were some San Bernardino Mormons who were freighting with teams to La Paz on the Colorado River. One of the Mormons had an extra pair of boots which I could wear, and I bought them for eight dollars. Leaving Dos Palms springs, we made about twenty-five miles, and found plenty of good tank water at what was called Tabbe Sakle, meaning in the Indian language, Yellow Hammer Nests. The finding of that tank was of much importance to us, as it made it possible for us to divide a five mile drive from Dos Palms to Chacagula springs. We were then beginning to realize that we had to favor our horses as much as possible, as they had been eating nothing but green grass, and that mostly salt, except the one night at Cabezon. At Chacagula, Weaver warned us to be careful about letting our horses eat the Galleta grass, as he had noticed a number of campo mucho on the grass that day. He advised us to cut the grass with our butcher knives and tie the horses up and feed them. The campo mucho is an insect something like a grasshopper, but much larger and sometimes as much as three inches long. They are the color of whatever they feed on, and a hungry horse or mule is liable to get one in biting off the grass. The teamsters who hauled across the road, used to carry heavy hoes and cut the grass for their stock when they were

where the Galleta grew. The handling of the grass knocked the insects off; they are almost sure to kill any animal that eats them.

"From Chacagula we made the Mule springs, seventeen miles, and here again Weaver found water that a stranger never would have found, and here again our knives supplied us with grass for the stock. Our next day we spent a part of the time travelling through drifting sand hills, where the horses sank nearly half to their knees in the loose sand, with the sun pouring down all the heat there was in it, and our stock leg-weary. It was a grand sight when we came over the last sand hill and found ourselves on the Colorado River bottom, which had been overflowed from the river in July, and the vegetation was as high as a horse in many places among the mesquite trees. We all felt like taking our saddles off and camping, but Weaver said no, we had about fifteen miles to go to get to the river. The stock seemed to freshen up as soon as we got on the bottom, as the ground was firm and not rocky.

"We were greatly surprised by running smack into an Indian cornfield about halfway to the river. The overflows had come early that year, and some Mohave Indians had reoccupied an old ranch that Weaver knew of. We had a feast on watermelons and green corn that night. The next day I had a chill to pay me, the second one since leaving San Francisco. The first one I had the day following my hard tramp from Agua Caliente to Indian Wells. The chills seemed to come every seventh day, or if it missed the

seventh, it would be seven or fourteen days before I would have another.

"We reached Bradshaw's Ferry early in the day, but concluded to lay over that day in order to give me a fair chance to shake. We hobbled our horses and turned them loose, as there was good feed along the river. Next morning all the stock but my horse was easily found, Beauchamp, Weaver and Ayers hunting for him till late in the afternoon, when they found him mired in a slough about two miles from the river, with nothing but his head above the mud and water. He was a hard looking horse. We ferried across that evening and landed at Olive City in Arizona. The city consisted of one house about 12x10x10 feet high, covered with brush and sided up with willow poles stuck in the ground, and smaller willow poles nailed on the larger ones without any chinking. However, it was plenty warm enough for the climate. That night we pushed on to La Paz in order to get food for our stock, there being no grass on the Arizona side at that place. At La Paz we bought grass from the Indians, they bringing it from the hills on sticks. The way they manage they take a dry willow pole six or eight feet long, lay down a layer of grass the length of the stick, lay the stick on the grass, then a layer of grass on the stick, and with thongs made of the leaves of a kind of cactus, tie the grass firmly around the stick. In that way they would get fifty or sixty pounds into a bundle, and the squaws would pack it to market on their heads.

"We stayed in La Paz two days, where we found a number of men who had returned from the new diggings at Weaver and Walker. La

Paz at that time was a town of several hundred inhabitants with several stores, a bakery and feed corral, but no postoffice nor mail service. When we left La Paz we followed the Colorado River bottom for thirty or thirty-five miles, where we found quail very plentiful and killed all we wanted to eat. The last night that we camped in the bottom, we stayed at a slough that I learned later the Indians called Supalm. There we met three men coming in from the new mining country. We all camped at the slough and next morning one of the strangers had but one boot, the coyotes having taken one during the night. I still had the old boots with the soles nearly ripped off, and I gave them to the unfortunate one.

"That day we started to cross the mesa and hilly country to Williams Fork, via Black Tanks. Beauchamp had been feeling bad all day, and about noon he had to lie down under a tree. I knew that we would be out of water by four o'clock, so I took all the empty canteens we had, and the horses, and started to Black Tanks, which was not more than seven or eight miles away. Dr. Howard remained with Beauchamp and suggested that I make some strong tea and put into a canteen for Beauchamp, so, after watering the horses, I set about making tea. I imagined I could hear voices, so after getting my water to heating, I climbed up past the tank and over the falls to another tank in the same canyon. There I found five Sonoranos, as we called the Mexicans at that time, cooking their dinner, which consisted of tortillas straight, and they were using a hat to mix their dough in. They were a little startled at my appearance,

for I just rose up from behind a point of rock with shotgun in hand. There had been several murders committed on the trail within a short time, and every one was looking out for himself on that trail.

"When I had my tea made, I took the outfit and went back and got Beauchamp and the Doctor. Just before dark we got to the tank again, but there was no tortilla makers, and I never knew which way they went. That night we traveled a few miles to get feed, and the next day about twelve o'clock, we reached Bill Williams' Fork. We followed up the stream for two days. Leaving it to the left we traveled one day and part of the next through the low hills and mesa that lay to the south of the Fork and Date Creek.

"When we came in sight of Date Creek, we all stopped to feast our eyes on what we all agreed was the most beautiful place we had ever seen. It was a green meadow with grass of different kinds growing all over it, and some of the grass was four feet, or more, in height. There was scattered cottonwood trees and groves covering several acres of the same kind of timber.

"A few Indians were camping near a stream of nice clear water that ran through this meadow. I learned from the Indians, several years later, that they called the place Ah-ha-Carsona, meaning 'Pretty Water,' and have wondered if the Spanish might not have got the name Arizona from this place. Here we camped for the night, and Ayers, Ben Weaver and a Jew named Black Sol overtook us. The next day we made Antelope Creek, and here we camped three days, there being grass and water. A few Americans and

many Mexicans were camped here, and working the gulches with pan and rockers. We bought a rocker at Weaver, where we got a small stock of provisions, and fell in with a man who had lived six years in Mexico, and understood working ores, gold and silver, by the arrastra process. His name was A. P. Mahan.

"From Weaver we crossed the mountains to the Ah-ha-Sayampa, which we struck just above the place where Walnut Grove dam was built. We camped two nights at this place, and did some panning from the bars and gulches. Got a little gold, but not enough to pay for a rocker. We moved up the creek about ten miles, and made our second camp, stayed one night and next day made camp on the creek above the little canyon, where we struck some rich float and traced it up to where we located and called it the Montgomery mine.

"We had come all the way from San Francisco to this mine, and only spent one day prospecting, until we reached the Montgomery, and found that on the second day. This was the first quartz mine located in the new country, and we had the location notices recorded in the placer mining book, John Pennington, Recorder, and he carried his book of records in his hip pocket, and his office was under a big juniper tree on the Hassayampa. Since then I have been a Hassayamper."

## CHAPTER III.

EARLY CONDITIONS IN THE TERRITORY (Continued),

CHARLES B. GENUNG'S STORIES (CONTINUED)—HIS FIRST YEAR IN ARIZONA—WORKING THE MONTGOMERY MINE—INDIAN SCARE—FIRST QUARTZ GOLD TAKEN OUT IN NORTHERN ARIZONA—EARLY MINING—FIGHT WITH INDIANS—MURDER BY MEXICANS—THE CHASE—REMINISCENCES—MORE MURDERS BY MEXICANS.

"After finding the Montgomery mine and prospecting a few days, Dr. Howard left us and went to Walker's camp on Lynx Creek, and as we had to have some tools to dig with, Beauchamp and Mahan, my other two partners, started for Weaver, leaving me to keep camp. The second day after they left me I had a hard chill and took a dose of quinine. I took too much, I suppose, for it set me to wandering, and the first that I recollect, I found myself at a camp two and a half miles up the creek where there were some placer miners, all strangers to me; but they gave me some supper and John Dennis, afterwards of Phoenix, and San Diego, divided his bed with me, although he was sick, as was his partner Van Duzen, and a young man named Jack Armstrong. We slept within a few feet of Armstrong, and the next morning he was dead. Armstrong had a pick, shovel, steel bar, and a twelve pound hammer, which I knew we should have use for, as we had concluded to build an arrastra and work the ore of the Montgomery in that way. I had no money to buy the tools,

as I had given Beauchamp my purse when he started for Weaver, but I knew there were several dollars in some specimens of the Montgomery mine ore at the camp, so I started for home as soon as I had some coffee. I found Jack, (as we called Beauchamp) and Mahan there, they having returned the night before. We got to work and ground out fourteen dollars worth of gold on a flat rock, and I was back to the placer mine in time to help bury Armstrong. I got the tools which, with four drills that Mahan had secured by buying two small bars such as the Mexican placer miners use instead of a pick, and having them cut in two and made into drills, and the pick and shovel that we had brought with us, comprised our set of mining tools to open up a mine with.

"We moved our camp down the creek about a quarter of a mile near some large tanks at the head of the canyon, and Mahan and I started to build the arrastra while Beauchamp worked at the mine and came down to dinner. Every time he came down he packed a sack of ore on his back. There was no trail by which a horse could get up or down. Besides, our horses were very poor and weak, having only what grass they could get in the daytime, and being tied up at night to keep the Indians from getting them. Mahan had worked in the silver mines in Mexico and understood arrastras and amalgamating, so when he and Beauchamp came back from Weaver, they brought a lot of rawhide from Peeples' ranch and with the rawhide and ash poles, the arrastra was built. There were no nails or iron of any kind in it. It was necessary, however, to have some holes in the ash

poles, and we had nothing to make them with. A man named Lambertson had some tools, and he lived eleven miles from where we were. Jack went down there one Sunday and borrowed a brace, some bits, and a small chisel, with which we made the frame, or woodwork, of our arrastra. As I was not able to work much, I undertook the following Sunday to return the borrowed tools, which led me into the first Indian scare that I ever had. I had left camp early and intended to return before night, but at Walnut Grove where Lambertson lived, there was an Indian scare. Lambertson, who was an experienced Indian fighter, advised me to wait until after dark to go home, which advice I followed, and did not leave his place until quite dark. The trail led along the banks, bars and flats of the Hassayampa for about eight miles, and in many places there was a dense growth of catsclaw brush through which, without a trail to follow, it is almost impossible to pass without tearing clothing and flesh. On one of the highest bars the trail ran abruptly to a deep cut which caused it to make a short turn to get around the cut and back on its regular course. The cut was ten or twelve feet deep, and fifty or sixty feet long, and catsclaw growing right up to it. When I got to within a short distance of this place, I imagined I could hear people talking, and I stopped to listen and locate the source. This took me some little time. Finally I remembered the place, and concluded it must be Indians camped in the cut for the night. I was in a fix. It was out of the question to turn back for I knew Beauchamp would be after me before morning. To try to go down and go up the

river bed would expose me to the Indians, as the moon was just rising, and if I tried to go around through the catsclaw, I should have no clothes nor skin either, when I got home. It took me sometime to think over the situation, and all the time I could hear the voices in the cut. At first I was frightened, but the fright soon gave way to anger, and I determined to slip up to the edge of the cut and turn my double barrelled shotgun loose among them, then use my Colt. So with great caution, I moved to the side of the cut, both barrels cocked and gun to shoulder. Right there I learned for the first time what it meant to be really frightened, for there arose out of the cut a lot of big hoot owls, right between me and the moon which was just rising over the mountains. I nearly fell to the ground and my knees were still trembling when I reached home. In fact, my knees are a little shaky until the present day.

"A few weeks later we had turned our horses out on a creek known as Copper Creek, about three miles above our place, as there was good grass and plenty of water there. I went to look after them about once a week, but one day I did not find either Beauchamp's or my own horse. Instead I found where two men with shoes on had driven them off towards the west. I went home and reported; took some coffee, pinole and a tin cup to eat out of, and went back and took the trail. That night I followed them to a point between Skull and Kirkland Valleys, where I camped. The next morning I tracked them about three miles to where some Mexicans were placer mining in Kirkland Valley. There I lost the track among the tracks of the stock that the

Mexicans had there. I could learn nothing from the Mexicans, so I gave up the hunt and returned to the mine. My horse was very hard to catch, and the other one would stay right with him, which accounted for the men not getting them, and saved us the horses, for we got them a month later at Peeples' ranch.

"About December 1st, 1863, we got our arrastra working, and Christmas eve following, we cleaned up $298.50, the result of one ton of ore—the first quartz gold taken out north of the Gila River in Arizona.

"When Beauchamp and Mahan went to Weaver after tools and provisions, there was but very little provisions to be had there, and Beauchamp gave the last of our money to a man he had known in California who had a pack train of mules. This man, Jose Juan, was anxious to go to Tucson for supplies, so Jack gave him the money with the understanding that when he returned from Tucson he would bring us provisions. When Jose Juan got to Tucson he could get no flour in the town, so he went on to Hermosillo in Sonora, to load his train. In the meantime our provisions had run low, and finally were all gone but red beans. Of these we happened to have a good supply. We might have got some provisions on credit, but we were expecting Jose Juan in every day from Tucson, and did not wish to leave our work and use our poor horses to make a three or four days trip. Consequently we stuck it out on beans straight until we had made our run of one ton of ore, not knowing at the time that Juan was obliged to go to Sonora to load his train.

"With the gold that we had retorted in an old musket barrel, I started to meet a Mexican train that we heard was coming from New Mexico with provisions, with the governor and his escort and staff. I expected to go as far as Chino Valley (Del Rio), but met the outfit at Granite Creek, where Prescott now is, and it was a very agreeable surprise to me. I was awful hungry, although I had that day killed a chicken hawk and broiled it on the coals of my camp fire, one built on purpose for the occasion. That night I stayed with Uncle Joe Walker, who led the Walker party to Arizona, and had good grub for the first time in nearly one month. The next day I returned to the mine early, and we all had a big feed for Christmas dinner.

"In the latter part of November, two men, John Laughlin and Valentine, came to our camp and told us of a strike that had been made in the mountains east of the place where Lambertson lived, and as I could not work much, and Valentine and Laughlin pressed me to accompany them, I took a pair of blankets and a little flour and coffee, and went the following morning with them. We went to Lambertson's ranch, and Mrs. Lambertson told us that Lambertson and Gross, (he was the man who found the rich ore), had left there that morning to go to the mine with burros, to pack in ore which they proposed to work with an arrastra. We took the fresh trail and just at night reached their camp on Turkey Creek, which was near the new strike. There we camped near Lambertson and Gross, and the next morning there was several inches of snow on the ground. Lambertson and Gross gathered up their outfit and returned early in

the day, but my party decided to stay one day more, thinking it would clear up. But it did not clear until the third day. We had with us two pair of blankets, and we made a shelter of one pair and all slept between the other pair. We stopped one end with pine boughs and built a big fire at our feet at the open end of the shelter. Our flour and coffee were out, and we were forced to go home without accomplishing anything. Laughlin lived on Groom Creek. He was partner with R. W. Groom, while Valentine had a camp near by on the same creek, so we concluded to go to that place. We had a hard job wallowing through the snow, but made it to the head of the Hassayampa about four o'clock, and there we found some men who told us of the finding of the Vulture mine. Valentine remarked that he would go down to the Hassayampa Sink, as we then called it, and 'talk Dutch to Henry, and get an interest,' which he did. Valentine was killed later at the nine-mile water hole near Tucson.

"About January 1st, 1864, Mahan went to Weaver and got his wife who had been staying there with her sister, and also brought quicksilver and powder. We had to use rifle powder which cost $1.50 per pound in small cans, and make our own fuse or, as it is called, 'squibs.'

"On the thirteenth day of February, 1864, John Pennington came to our place, having traveled from where he and U. C. Barnett were camped about six miles up the creek, and found us at breakfast. He wanted help to follow Indians who had taken their last horse and started only a short time before he left his cabin. The Indians had taken a trail that led past our place

and about one and a half miles to the east. Barnett followed on the trail and Pennington was to meet him at a prominent outcrop of quartzsite that the trail passed by. Beauchamp and I got ready while Pennington ate some breakfast, and with our sack of pinole, we started for the appointed rendezvous. When we got in sight of the big outcrop of rock, we could see Barnett about four hundred yards back of the outcrop waving his hat and crouching down, which meant for us to keep as quiet as possible.

"When we got to Barnett, who had not moved from the place where we first saw him, he told us that he had seen a smoke on the opposite side of the big ledge before we came in sight, and supposed the Indians had made a camp there. It had been threatening to storm for some time, and by this time it was snowing pretty hard. We at once set out to see what was behind the bluff, making as little noise as possible. When we got to the south end there they were in a little gulch among the thickest kind of brush. We opened fire on them, but our guns were covered with the snow that was falling as hard and fast as it could, and we never knew what effect our shots had, only we got an old butcher knife, a lance, and bow with a quiver of arrows. The Indians had killed the horse and were cutting the flesh off the bones when we came upon them.

"We all returned to the mine, nearly frozen. That storm lasted five days, and our house, which was built of rocks and covered with dirt, leaked like a sieve, and continued to leak for sometime after the storm. We continued work and took

out a little gold right along, the ore running by sorting about 300 pounds per ton.

"One day in March a brother-in-law of Mahan, who lived at Weaver, came to the mine and brought us a letter from a man named James More, who was a partner of A. H. Peeples in a lot of beef steers which they were holding on Peeples' ranch, now known as Peeples' Valley. The letter was asking one of us to go to the ranch with two horses. A few days before this the Apaches had run off all the horses at the ranch, and King S. Woolsey and Peeples had organized a party to follow the Indians, and had taken all of the horses that were left around Weaver except two of the poorest which had been left at the ranch to drive and corral the cattle with. These cattle were easy to drive or handle on horseback, but would run from a man on foot, and the morning that the letter was written, the Indians had gotten the two poor horses from the place where they were staked while the men were eating breakfast. As soon as I could catch the horses I saddled and got to the ranch in time to corral the cattle that evening. I had been at the ranch three days when a man came in from Los Angeles, Sandy Hampton, a big Scotchman. I had met Hampton in Los Angeles when he worked for the Sansevein Wine Company. Hampton had a horse and mule, and More hired him to stay at the ranch so that I could go home. Hampton's horse was sore footed, and there were a lot of old shoes that had been pulled off of the horses when they were turned out on the soft meadow land of the ranch, so I undertook to shoe the horse before I left. As the horse was rather large, I had trouble to

get shoes out of the lot to fit him, but by using one that had corks on it, I made out to get the shoes on all around.

"Hampton himself had neither boots nor shoes. He had rags on his feet. I did not think much about the fact as I was nearly bare footed myself, but more than thirty years after I learned from a man who had traveled from Los Angeles with Hampton that they had met a man going out of the country shoeless and walking, and Hampton, having a horse to ride, took off his boots and told the man to try them on, and if he could wear them to keep them. He kept them.

"I returned to the mine after shoeing the horse, and, as we were in a bad place to stand off the Indians, we concluded to work what ore we had and quit the work for a while.

"William Kirkland and his companions were working a placer mine about twelve miles below us, and Kirkland had his family there with him. As there were quite a number of men and some good dogs there, Mahan concluded to take his wife there until we got ready to quit work. I will say that the Indians had been doing a lot of bad work in different places, and that the Mexican who brought the letter from More asking for help, had a fight with them and broke a leg for one of them, between Peeples' Ranch and the Montgomery mine, when he brought the letter. Our nearest neighbors to the north were two and a half miles away, and eleven miles south to Lambertson's, which was a mile from the Kirkland claim. Peeples' ranch was sixteen miles to the southwest. That was not a good place to have a woman to take care of.

"About the last days of March we got our arrastra cleaned up and cached what tools we had, and Beauchamp went prospecting while I went to the Kirkland claim where Mrs. Mahan was cooking for the men who were working the placers. The night that I got to Kirkland's, William Dennison, one of the partners of the claim, who, with another man, returned from Peeples' ranch where they had been after a beef, brought the news that Sandy Hampton had been murdered by a Mexican two nights before. The news had been carried to Weaver by a Mexican boy whom More had employed to stay on the ranch and help Sandy with the cattle, and a crazy white man named Jackson, whom the Mexican came near killing when he killed Hampton. The crazy man wandered from camp to camp and never was molested by the Apaches, and that day had dropped in at Peeples' ranch. The Mexican came to the ranch from toward Weaver just at dark. Hampton gave him supper and told him to stay all night. The house was a small one roomed adobe with a fireplace in one end. Hampton was sitting before the fire after supper, with his chin in his hands. Jackson was sitting in the corner of the fireplace farthest from the door, and the boy was sitting in the corner between the fireplace and the door. The strange Mexican was behind Hampton. All of a sudden he drew a long knife from under his sarape and plunged it into the side of Hampton's neck, killing him instantly I suppose, for he fell with his face in the ashes at the corner of the fireplace and never struggled. Jackson jumped for the door, and as he passed the Mexican he was stabbed in the back, but got out, and

he and the boy made their way to Weaver as fast as they could and gave the alarm. Men started at once for the ranch and a search was commenced as soon as it was daylight for the Mexican, but they could not track him, although he had taken Hampton's horse and saddle. The trouble was that the Mexican had saddled the horse and taken the trail toward Weaver, and the party from Weaver had obliterated the tracks when they rode and walked over the trail in the dark. The next day after the news came of the killing of Hampton, I, with G. H. Vickrey and two others, went from the Kirkland claim to Weaver, which is about fourteen miles by trail. We passed the graves of a man named Mellen, who was partner with Lehigh in copper claims in Copper Basin, and two companions, who were prospecting on the Hassayampa, also the new made graves of four Mexicans and a Frenchman near Weaver. All of these graves were quite fresh. Arriving at Weaver we learned that there was no trace of the murderer.

"I took our horses out to find some place where I could stake them on good grass, intending to stay with them all night and bring them in with me in the morning. I went out about two miles southwest of Weaver, and, finding a good place, I took my saddle off. While tying my horses I noticed that I was on a trail which appeared to lead from Weaver and Antelope Creek toward the sink of the Hassayampa. I examined the trail closely and found that the last tracks which had passed over the trail led toward the Hassayampa and were made by the horse that I had put the shoes on for Sandy Hampton some-

time before at Peeples' ranch. I recognized it by the one corked shoe, while the other three were plain shoes. I at once determined to follow the tracks to the Hassayampa if necessary. I saddled up and took all of the stock back to Weaver, and told some of the people what I had found. I asked for one or two volunteers to go with me on the trail. The men said it had been too long; that we could never overtake the Mexican, and, besides, that the stock was all poor and not fit for a long trip, perhaps clear into Sonora, as it was evident that Sonora was where the Mexican was heading for, at that time there being no other places in Arizona except Tucson and Gila City, now Yuma.

"I inquired about the road and learned from a man who knew the country that there was but one road through the Hassayampa Canyon, where the railroad bridge now crosses, and about two miles below the Tucson road left the river and turned east, while the other road followed the river bottom. I realized that if I could get the tracks at or near the forks of the road, I should be sure that my man would go directly to one of the two places. I bought a few pounds of pinole, some pinoche, and a little coffee, and with a quart cup and canteen, started for the Hassayampa, but took the main road as it was quite dark and I had to depend on picking up the trail the next morning. I passed Henry Wickenburg's camp before day, and about nine o'clock in the morning I came to the forks of the road. Here I was bothered a good deal, as both roads had been traveled by wagons and ox carts. I had about made up my mind to take the Tucson road as being the most likely one

for my man to take, when I noticed a trail that went over a point of a mesa that the wagon road passed around. I went and examined this trail, and there was my corked shoe sure enough. Now I was sure the Tucson road was the one for me.

"I slept the most of that day and gave my horse a chance to fill up on good gramma grass. Getting to the Pima Villages, I found there a mule which had been left in care of Mr. White, who had a flour mill there, and White wished to send the mule to Re Allen, its owner, in Tucson. I had White inquire of the Indians if they had seen the Mexican, (who was easy to describe on account of the big buckskin horse), but he had not been seen, so I concluded he had passed through the Indian villages in the night. I took Allen's mule and left my horse with the Indians, and that evening pushed on toward Tucson and the next day reached what was known as 'Soldier's Grave,' a road station established by the old Butterfield Stage Company. The man at the station had seen nothing of the Mexican with the buckskin horse, but told me that someone had been to the well and got water two nights before, and had gone toward Tucson; that the horse tracks were larger than most riding horses.

"I rested my mule nearly all day and took the road about four in the afternoon; made Bluewater station that night about twelve o'clock and lay down until daylight. That was another one of the old Butterfield stations, and there about the same thing had happened as at Soldier's Grave, only I had gained about twelve hours on my man according to our calculation.

"From there I pushed on to the Picacho station, only eighteen miles from Tucson, but the keeper had seen nothing of my man. Arriving at Tucson I at once called upon Major Duffield, the United States marshal, and told him my story. He took some interest in the matter, and said he would try to locate the Mexican if he was in or around Tucson. I didn't leave the matter in the hands of others, but went all over the town and to all nearby ranches of which there were several, but no sign of the buckskin. I bought a Comanche pony from a Mexican, and the second afternoon I went to the old Mission San Xavier, which is eight or nine miles from Tucson, the main traveled road to Sonora. About halfway from Tucson to the Mission there had been a big mudhole which changed the road. The mudhole had dried, but the wagons still went around the place, while saddle animals took the shorter cut over the dry mudhole. And there I found my corked horseshoe mark, and pretty fresh too. I pushed my horse along pretty lively until I got to the Mission. There were a lot of Papago Indians living there and one white man, who went by the name of Alejandro. I told Alejandro my business. He inquired among the Indians, and we concluded that the Mexican had passed there late the night before. I had given my pony to a Papago to feed and water for me, and when I had him brought up to saddle, he had the colic. I went after Alejandro, who was running a mill for grinding wheat by burro power. He found me an Indian who would trade me another pony for $20 to boot. If my pony died I was to keep the Indian's pony, or if I returned the Indian's

animal and took my own, the Indian was to have the twenty dollars for the use of his horse. Rather a hard bargain! But I accepted the proposition and was soon on my way again.

"I traveled nearly all of that night, and the following afternoon rode into a military camp, two companies of cavalry stationed at the mouth of the Sohbapuri Canyon. When I got within a mile or two of this camp, I lost the track of the corked shoe which I had been seeing all day. The cavalry herd had obliterated the tracks.

"I thought sure I should find my man or some trace of him when I saw the soldiers, but I did not. I knew he was not far away, for his horse had completely given out, and he had been walking and driving the horse ahead of him for the last twenty miles. It was but a few miles to Tubac, where I had learned there was some Americans living, so after satisfying myself that there was nothing at the soldiers' camp for me, I pushed on for Tubac, watching all the time for tracks in the road. But no corked shoe track did I find. At Tubac I found a family named Pennington, all but the grown men folks. There were several women and two boys, twelve to fifteen years old, and a Mrs. Page and a little daughter. Mrs. Page was a Pennington. After she had married Page and before her girl was born, the Apaches captured her and a twelve year old Mexican girl, but as Mrs. Page was not able to travel as fast as the Indians wanted to go, they lanced her full of holes, threw her body over a bluff, then threw rocks on her head, and left her for dead. She came to and after crawling around for two weeks or more, and living on roots, managed to reach a camp in the Santa

Rita mountains. She told me the story herself as I stayed there that night with the family.

"The next morning I was out as soon as I could see, expecting the Mexican would pass that place in the night as he had every other place where he was liable to be seen. He had not passed that way however, and the women told me of a road that went up the Canyon to an old deserted ranch, and on to the Sierra Colorado mine and Sonora, and showed me a trail that would take me by a short cut to the old ranch. I hurried across to the old ranch, which was the ruins of what had been a big ranch at one time, and here were my horse tracks quite fresh, and the man tracks on top. I examined my shot-gun carefully, and pushed my pony for all that he could stand for about four miles, watching the trail at every step. Finally as I rode down into a little sandwash that came into and across the road from the low hills to my right, I saw the tracks leading up the wash, and the sand was not dry where the horse tracks had disturbed it. I followed up this little wash about a quarter of a mile, and there on a flat near the wash was the horse hobbled, and in the shade of a bush in the sand on the saddle blankets, lay about the worst looking, black, scar-faced greaser that I ever looked at. But he looked good to me just then!

"I cut the hobbles off of the poor horse, and went on to the Sierra Colorado mine, and rested two days. Colonel Colt, the gunman, was preparing to work the mine, after having had a massacre at the mine some time before.

"I did a little prospecting near the Sierra Colorado mine, and found an old abandoned

mine that had hackberry trees growing on the dump a foot through at the butt. I returned to San Xavier and got my Comanche pony all right.

"At Tucson I met Jack Swilling and others of a party who, with King S. Woolsey, had returned from a prospecting trip in the Pinal mountains. The party had divided at what was known as 'The Wheatfields,' Woolsey going to the Agua Fria ranch near Prescott. They parted with the understanding that Swilling would go to Tucson and fit out a strong party, and meet Woolsey, who would fit out another party at Prescott, and a third party would start from the Pima Villages with Indians who were ready at any time to go after the Apaches. All three parties were to meet at a certain place on an appointed day, and all were to kill as many Apaches as possible.

"When Swilling got to Tucson he could get no flour to outfit a party. He had to send men and animals to Hermosillo, Sonora, for a supply of flour, and it was necessary for Woolsey to know this. Swilling had tried to find some men to go to Prescott with dispatches, but the country was alive with Apaches, and there were no volunteers to try the hazardous trip with less than five men. I learned of this one evening late, and went to Swilling's house, and proposed to take the dispatches to Woolsey if I could get a good saddle animal, and an order for another at Maricopa Wells, where the Swilling party had left all of their stock that they could spare as they went to Tucson. They had left their stock in charge of a man named Chase, and two or three other men. At Maricopa Wells there was pretty good grass. It was near the friendly

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Prescott.

"About four o'clock in the m
1st, 1864, Swilling had his letter
I went to the citizens' corral, (wl
government corral on one side), t
which I was to ride to Maricopa.
of the soldiers in and around th
corral, and on making inquiries le
Apaches had got away with five
which were in the corral, notwit
fact that there had been a sentin
front of the corral all night. Th
cut a hole in the back side of the
the horses. They cut the wall by
to a rope, then throwing the rock
and by pulling the rock up near th
ting it down, soon cut a piece out
get a horse through.

"I had a splendid mule under m
daylight was at the nine-mile
pushed on to the Picacho station
until about sundown; made Blue
before day, and remained there un

ing the road at right angles. He was badly frightened, and I could not stop him and make him stand. I soon learned the cause of the mule's fright. There was a heavy thicket of greasewood and mesquite at the point where the mule stampeded, and about two hundred yards from the road I saw plenty of moccasin tracks, and on the ground lay a 38-caliber Colt's revolver. I tried to get the mule to stop so that I could get off and get the gun, but I could not make him stand. So I turned him and rode past the gun and picked it up from the saddle. It was loaded and clean. The Indians in their hurry to get to the road in time to ambush me, had dropped it, I presume. Anyway, I got the gun and let the mule go as fast as he wanted to through the brush, and didn't go to the road until after dark.

"I watered my mule at the Soldier's Grave, and pushed on to near the Sacaton station, where I rested a few hours. Then I pushed on to White's Mill, and arranged with Mr. White to send my horse that I had left when I got Allen's mule, to Weaver or Walker by the first opportunity. I rode on until I reached the last of the Maricopa farms, and there I stayed and had a good sleep, reaching the Maricopa Wells early next morning. Here I found Chase, delivered a letter from Swilling, and after supper started on a fresh horse. The mule that I had been riding belonged to Chase. He told me that he had captured the mule from the Apaches on a raid that he had participated in at Pinos Altos, New Mexico, hence his fear of Apaches. If I had been riding a less timid animal the Indians

would have killed me, where the mule saved my life.

"Leaving the Wells I rode all night, and until after the sun was well up. Then, turning off the road into the mesquite timber, I slept until nearly sundown. Coming back to the road I found the tracks of two horses going towards Maricopa Wells. I learned that the two horsemen, one of whom was James Sheldon (afterwards killed by the Yavapais), were going with dispatches from Woolsey to Swilling to notify him that there were not sufficient supplies in the Walker country to be had to outfit a party, and that Woolsey had sent a pack train to La Paz on the Colorado River to buy a supply for the expedition. Not knowing this, I made the best time I could via Weaver to where Prescott now is, reaching there May 5th in the morning. I think it is nearly three hundred miles the way I travelled.

"I learned that the town of Prescott had been located and named by Governor Goodwin, the name having been suggested by R. C. McCormick. The town was being surveyed by R. W. Groom and a man named Waldemar.

"I waited around the new town for my partner Beauchamp to return from La Paz, where he had gone with others for supplies for the Woolsey expedition. I thought of going to work on the Montgomery if Beauchamp was inclined that way. On May 17th, 18th and 19th, it stormed, and the ground was six inches deep in slush on the plaza.

"When Beauchamp returned from La Paz he wished to go out with Woolsey again. So I concluded to prospect near by, and did do some

prospecting in the mountains along the Hassayampa as far as Lambertson's ranch. There, late in June, I met some men who had been prospecting near the Vulture mine, and had some glance ore, which I took for silver glance, such as I had seen and got samples of at the Sierra Colorado mine. The ore that I got at the Sierra Colorado was worth about a thousand dollars per ton. I learned all that I could about the locality of the vein that the ore came from, and concluded to go and try to find it. I went to Weaver and there met Charles Mason, Elijah Smith, William Holcomb and a Frenchman. They had just found a big cropping near Weaver which had some free gold, and were digging a little on it. They proposed to give me an interest in the claims if I would join them, and said that we would build arrastras and work the ore. I accepted the proposition and at once set about sampling and horning the ore along the surface. I did not get the results that I thought would pay to arrastra, but there was a prominent mining man at Weaver by the name of Ehrenberg, a graduate of Freyburg. I got Ehrenberg to go and look at the property. He thought enough of it to take samples from the sixteen-foot hole that was on the claims, as well as sampling the croppings for about two thousand feet along the ledge, and started for San Francisco with about fifty pounds of ore. He got better than sixteen dollars per ton, and sent us the assays. He wrote that he would return and do some work on the claims. On his way back a renegade Surrana Indian murdered him while asleep at Dos Palms station.

"Flour was scarce, so Smith, Holcomb, Charles Mason and the Frenchman desired to go to White's mill at the Pima Villages, and load their animals with flour, and walk back. With a boy that I had picked up, I went as far as the sinks of the Hassayampa with them. Here I camped in order to prospect for the rich ore that had been shown me, which started me out.

"The next day I filled a 10-gallon keg with water, and packed it on a burro, and, riding a mule which I had borrowed at Prescott, set out on the trail toward the Vulture, the boy following on a horse. About four miles from the river our trail crossed a wide wash and ran up the side of a small point on the west side. As I started up the trail the mule shied off and went around on the opposite side of the point from where the trail led up. The burro followed the mule, and the horse followed the burro. It was some distance before I got the mule back into the trail, which at that point, crossed a mesa or table land. There I discovered a lot of Indian tracks, and after making a careful examination, concluded that they had seen us and were not far away at that moment. I thought it best to turn back, as there appeared to be a big bunch of the reds. We took the trail back, and just at the point where the mule scared I found that the Indians had been crouched behind a bank just below the trail. Had the mule not left the trail we should both have been riddled with arrows and bullets. That was twice in about two months that mules had kept me out of trouble.

"We made our way back to where Wickenburg was camped, and the next morning we went back

with Wickenburg, and some more men, and took the trail of the Indians. We followed it until night, but as we were not prepared to stay longer, we returned to the Hassayampa. This was July 4th, 1864.

"Wickenburg had an arrastra partly built, and had about a ton of Vulture ore at his camp. As he knew nothing about working ore, I undertook to show him what I could, and soon had the arrastra running. By the time the party returned from the Pima Villages, we had ground out the ton of ore, and cleaned up $105.

"When the party returned I took Mason and Smith and we went and found the copper ore which I had mistaken for silver.

"We next went to Antelope Creek near Weaver, and, it being terribly warm, concluded to go on to Prescott, but laid over one day, July 18th, and went to Weaver and voted at the first election held in Arizona Territory. We got to Prescott July 22d and camped near the town. We had killed several deer the night and morning before we went into Prescott, and sold the venison readily at twenty-five cents a pound, which suggested the idea of hunting for the market. Smith and Holcomb were expert game hunters and did most of the killing, while I hunted a little and kept camp when necessary, and Mason did the selling. This lasted only a short time with me.

"About August 6th a man who had come up from Fort Mojave to try to start an express line, started out from Prescott on his return, and at a point about fifteen miles out had been jumped by the Indians and shot with an arrow, as was his mule also. The mule got him out and brought

him back to Prescott, neither being very badly wounded.

"I was anxious to have the line established, and after examining the mule carefully, concluded that he could make the trip. I proposed to take what letters the fellow had collected and go to Fort Mojave with them. The proposition was accepted, and the next day I traveled with Miller Brothers' pack-train, which was starting for Los Angeles, as far as Williamson Valley, about twenty miles. Leaving the train after dark, I rode until the following morning about seven o'clock, and came to a camping-place where a nice stream of water ran for a short distance by the side of the road. There was good feed growing on the flat among the mesquite and catsclaw bush, and I tied the mule with a long rope and went down under the bank which was ten or twelve feet high, to make a cup of coffee. I had just got my fire started and cup of water on it, when I thought I heard a quick move on the bank above. I grabbed my gun and ran to the top of the bank, and, sure enough, a Yavapai Indian was leading my mule away as fast as he could make him lead. Almost at the same glance I saw another Indian on a horse off about two hundred yards to my right. He let a terrible yell out of himself as I showed up, and right there I did some of the fastest running that I ever did. I couldn't shoot because the mule was in the way. The Indian saw that I was bound to overtake him, so he dropped the rope and ran, dodging, through the brush. I tried hard, but could never make a sure shot, and I was not going to waste any powder. Maybe I was not glad to get hold of that rope!

"I did not wait to make coffee, but got out of there pretty quick, although I presume the two Indians that I saw were all that there were in the bunch. If the Indian had led the mule slowly away, instead of trying to hurry him, I should not have known anything about it until too late.

"I rode on for a few miles until I came to a favorable place to watch the mule from a bunch of granite rock, then tied him in the open, and lay there until nearly night. Starting out I had traveled only a short distance when I saw coming on the trail, meeting me, quite a bunch of Indians with women and children. I left the trail and kept a good gunshot distance between us, as I thought perhaps they had adopted that plan to get near me, and I thought I recognized the horse that the Indian was riding who yelled to his partner in the morning.

"I made a dry camp late in the night, and gave the mule a good rest, and a chance to graze. I arrived at Fort Mojave the fourth day from Prescott, one hundred and seventy-three miles, with my mule's neck and withers badly swollen from the arrow wound. I remained at Fort Mojave two nights, and was furnished with a cavalry horse and three soldiers, to escort me back to Prescott.

"The morning that I reached Mojave, Dr. Willing with four men and a pack train of mules were just starting for Prescott. One of the men, A. I. Shanks, I had ridden the range with in Sacramento Valley for two years before coming to Arizona. On my return trip I overtook the Willing party the third day out, and camped two nights and traveled one day with them. The

[illegible] back to camp and told
found. The three soldiers volunteered
me and clean them up. I placed
on a high mesa directly above the
told them that I would go down below
up as close as I could get and turn loose
As I should be in sight of the soldiers
know when to show up and commence
I got within forty or fifty yards of
without being seen, and just as I was
shoot, the soldiers commenced to holler
shoot! Don't shoot!' The Indians
like a flock of quail, and I was mad
commence on the soldiers if it would
any good. Their excuse was that
looked like Mohaves. The truth of
was that there were too many Indians
say here that these were Yavapais,
as any Indian tribe of equal number
played friendly when in or near the
post or mining camps, and stole and
every time they got a chance when they
they could blame it on the Apaches
returned to camp I told the soldiers

with two horses hitched to it and some men on the ground. That being an unusual thing, I rode down to the wagon and learned that they had come from California, via Yuma, and were heading for Prescott. I had been talking but a few moments when a bunch of Indians appeared on top of the ridge where I had left the trail to go to the wagon. The men (whom I afterward became acquainted with) were Gilford Hathaway, Joseph Melvin, William Little, and a man named Smith. They became quite excited and were going behind the wagon and talking so that I could not hear what was being said, so I took the road to Prescott, not caring to be taken off by mistake as being a renegade white running with the Indians. Nor did I stop to explain that the Indians were shouting the password that Pauline Weaver had learned the Yavapais at a treaty made in 1863 at Agua Caliente.

"I got to Prescott before dark, and noticed, as I passed, a small patch of corn that had been planted by a man named Sanford on Granite Creek. The corn had all been killed the night before by frost. That was the 17th of August, 1864. Pretty early frost.

"I learned at Prescott that the Woolsey party had returned and that Beauchamp had been killed by Indians on the trip; that he was the only one killed. I was at a loss to know what to do about working the Montgomery, and lay around the town for a month or more. This completed my first year in Arizona."

"The next man that was murdered by the Mexicans was digging a well on the road leading from La Paz on the Colorado River to Wickenburg, in company with a man named Dave King.

The well was being dug to get water to sell to the travelling public—mostly freight teams—and is about thirty miles west of Wickenburg. One evening a train belonging to a man named Stanfield camped near the well, and accompanying the train were several deserters from a company of Mexican volunteers that had been raised by one Primitivo Cervantes, and enlisted to fight the Apaches. This company, or a part of it, was stationed at Date Creek and Skull Valley to escort trains through Bell's Canyon, and from Skull Valley to Prescott. In the morning when the train pulled out, two of the deserters stopped behind, and after King, who was digging in the well, had been at work a short time, he heard a shot and looked up just in time to dodge his partner, who had been shot in the head and came head first to the bottom of the well, which was about a hundred and thirty feet deep. A few minutes before King heard the shot he had seen his partner looking down into the well. He often sat on the landing-board and talked with King as they worked. What must have been King's feelings, there in a well many miles from anyone who could help him with his dead partner! He lay down beside the dead man, afraid to move or cry out for fear whoever had killed his partner would come and kill him. He did not know at the time who had done this. It might have been Indians, as he rather thought it was. But Providence was kind to King. While lying there considering his chances of getting out of the hole he forgot entirely the mail carrier who made one round trip per week from La Paz on muleback, and that was the day the mail was due to pass into Wickenburg. But King never

thought of the mail-carrier, his only hope being that some train might pass that way and by a rare chance find him before he perished. What could his feelings have been after several hours spent there in that terrible position, to see a man lean over the curbing, looking down into the place? He did not recognize the man, and was afraid to speak lest it might be an enemy. But the man on top, for some unknown reason, said 'Hello!' Then King recognized John Duff, the mail-carrier, and Duff told me many times that he got the greatest surprise of his life when he received an answer from the well. Duff had ridden out to the men's camp, as was customary with him when he passed, and found things all scattered around, and had concluded that the men had quit the well and gone to Wickenburg. Something prompted him to go to the well, and that probably saved King's life. Duff lowered the bucket and King put his partner's body into it, and after hoisting the body out, Duff hoisted King out.

"They dug a shallow grave and buried the dead man, and having concluded from the government shoe tracks that it was the Mexican soldiers that had done the killing and robbed the camp, they followed their trail until nearly dark; then, as the trail led across the country toward the Vulture, they turned back to the Wickenburg road, and made haste to get there.

"The next morning everybody in town had heard the news. There was one old gray-headed man that we all called Uncle Joe. His name was Joseph Blackwell. He was one of the Texans who were prisoners at the Alamo, but did not happen to draw a white bean. At that time he

was night herder for J. M. Bryan, commonly called Crete Bryan. Bryan had a large herd of mules with which he was hauling ore from the Vulture mine to the mill at Wickenburg. As there was no tame hay in the country, the mules were herded in the hills at night, and Uncle Joe was one of the herders.

"When he talked with King he learned all he could about the course the Mexicans had taken; then went to Bryan and asked him for Kit, a favorite riding mule.

" 'What do you want of Kit, Uncle Joe?'

" 'I'm going to get the d—d greasers.'

" 'All right, Uncle Joe. She is in the corral.'

"In a short time Uncle Joe came back with canteen, gun and saddle-bags. Then Bryan realized that the old man meant business, and said:

" 'Well, Uncle Joe, I'll go, too.'

"In less time than it takes me to write it they were off. They started to cut track between the Vulture mine and the Hassayampa. If they failed to cut the tracks there, they would probably find their men at or near the Vulture. They found the tracks east of the Vulture, going toward the White Tank Mountains, and followed them to the White Tanks, where they made a fire. From there they had taken the road to the crossing of the Salt and Gila Rivers. This road led on to Tucson via the Pima Villages. There was no Phoenix at that time.

"The Mexicans were overtaken between the two rivers, sitting beside the road. They had a string of fish which they had just caught with some hooks that they had evidently taken from King's camp, for he had some and they were

missing, as well as a lot of other plunder and the six-shooters.

"Bryan and Uncle Joe threw their guns down on them, and made them lay down their guns and go away from them; then asked them if they had any choice between hanging and shooting. A shrug of the shoulders was the answer. So they marched them far enough from the road so that they would not smell bad, tied them to a mesquite tree, and shot them.

"The next man that was murdered by the Mexicans was a Portuguese who at one time ran a bakery in Wickenburg. He had saved some money and thought it would pay to sink a well between the Hassayampa and Salt Rivers, as it was a long way across the dry plains.

"He went to a point about twelve miles out from the sink of the Hassayampa, and started to sinking in a gulch that heads up into the hills east of Wickenburg. He had only got down twenty-five or thirty feet when some passers-by noticed that the well had been caved in around the top and the camp robbed. The place is known to this day as the 'Nigger Well' by old-timers. The Portuguese was part negro.

"The well was never cleaned out. The Portuguese left some property in Wickenburg—an old adobe shack and an adobe oven.

"There may have been more than one man buried in the well, as his Mexican helper never showed up.

"This happened in 1866 or 1867, and the Apaches were making raids in some part of the country nearly every full moon; so the matter of a man or two did not amount to much unless

he happened to have some personal friends, like Hampton and King.

"The next murder according to my recollection was committed at what was known as the 'Martinez Ranch,' about twenty miles from Wickenburg, on the road to Prescott by the way of Date Creek Camp, in the spring of 1871.

"A young man named Sam Cullumber was keeping a station and the Arizona Stage Company kept four standing horses there and a man to attend to them. There were some Mexicans camped near by, and the signs read that some of them had gone to the house to buy something, and while the stock-tender was weighing some flour in one room, he was stabbed in the jugular vein and fell dead, while Cullumber was killed in the other room.

"There were probably four of the Mexicans, as they took the four stage horses. Two days later a Maricopa Indian saw two Mexicans hide their guns in some brush near the Maricopa Canal and get onto their horses and ride off. The Indian (who had not been seen) rushed out as soon as the Mexicans were out of sight, and took the guns and hid them in another place; then went to Phoenix and told the officers what he had seen. Joe Fye (Phy) and Wilt Warden were sent out to investigate. The Indian took them to the guns; then they followed the horse tracks and found the horses tied to mesquite trees. They took the horses to town, and there they were identified by someone who knew them as the stage horses that belonged at Martinez Station. Fye and Warden returned to the place to lay for the Mexicans, but when they got there the tracks showed that the Mexicans had been

there during their absence with the horses, and had left, going toward the river below town. The officers followed them and overtook them at a point on the river bank known as the Hay Camp, or Half Way Camp. It was a place where the hay haulers—generally Mexicans—camped when they went out west of the Agua Fria to cut galleta hay for use in Phoenix. They would go from this camp and cut a load of hay with hoes, and returning would generally camp at the Hay Camp, go to Phoenix next day, unload, and get back to camp the same night.

"The two Mexicans were sitting on a log beside the road, and Fye told Warden to take care of the nearest one. When opposite them, Fye told them to throw up their hands. Instead, they both reached for their six-shooters. Warden killed his man with a shotgun, but Fye, being an A. No. 1 shot with a rifle, broke his man's arm. His pistol dropped and he picked it up with his left hand. Fye broke his left arm. Then the Mexican broke for the river bank, which was but a few steps away. A shot from Fye's rifle broke a leg. That stopped him! The Mexican's first words were a request for water. Fye asked him where the other two horses were, and he would not tell who had them or anything about it—only begged for water. He never would tell anything, and is begging for water yet, I guess.

"The other two horses were never found, and if the Maricopa Indian had not happened to see the men hide their guns, the blame of that murder would have been laid to the Indians; for when the news got to Date Creek—only nine

miles from the station—a party of soldiers was sent out accompanied by some friendly Apache-Mohaves, and they had a brush with some Tonto Apaches between Date Creek and the Cullumber Station, and the friendly Indians captured one of the Tontos alive—got him cornered in some big granite boulders and nailed him.

"I have no doubt that there were many murders committed by the Mexicans and blamed on the Indians; the Loring massacre nine miles west of Wickenburg came near being one of the cases. It was reported by government officers that the Date Creek Indians did the work, but the citizens of Wickenburg and Phoenix knew better."

## CHAPTER IV.

### EARLY CONDITIONS IN THE TERRITORY (Continued).

CAPTAIN W. H. HARDY—DESCRIPTION OF—HIS EARLY EXPERIENCES IN ARIZONA—METHODS OF INDIAN WARFARE—FREIGHTING FOR THE GOVERNMENT—EXPERIENCES WITH INDIANS—WILD GAME IN THE TERRITORY—DRIVEN OUT OR KILLED—INDIAN CUNNING—THE FIRST CHRISTMAS TREE IN THE TERRITORY.

Mention has been made in these pages of W. H. Hardy, who established the town of Hardyville, above Fort Mohave, on the Colorado River. Captain Hardy ran a ferry and a store at that place for a long time, and, as stated in a previous chapter, established a branch store at Prescott, after the location and survey of that town. He was among the first settlers in Mohave County. He was a man highly respected, of great energy and force of character, and did a great deal for the development of his county, which he represented several times in the upper house of the Territorial Legislature. He died June 30, 1909, at Whittier, California."

F. J. Wattron, at one time sheriff of Navajo County, has the following to say about Captain Hardy:

"Captain Hardy was an old settler upon the Colorado above Fort Mohave at Hardyville. He ran a ferry and a store at that place, also a toll road from Hardyville to Prescott. All parties travelling on the road had to pay Hardy in proportion to the size of their outfit. The repairs on the road were kept up by Hardy walk-

ing along and leading his horse and kicking out such rocks as he could with a pair of number eleven boots. Hardy's stock consisted of flour, $20 per hundredweight; bacon, 50c per pound; coffee, 50c per pound; sugar, three pounds for a dollar; soldier's boots, $10 per pair; overalls, $3 per pair, cash down, and no kicking. His ferry was also a paying business, but if you had no money, he would give you what you wanted out of the store, and cross you over the river for nothing."

The "Mohave County Miner," of December 8th, 1888, contains the following letter written by Captain Hardy, which is perhaps as good a statement of conditions in Arizona during the period of which we are writing, as could be found:

"Editor 'Mohave County Miner':

"You ask me to write some of my early experiences in Arizona. What I write may not be worth the space it takes in your valuable paper. Again, if printed, it may not be worth reading. However, as I have a little leisure time to-day, I will put in a couple of hours in telling, as I remember, what happened over twenty years since. I distinctly remember, because trials and incidents which happened in those days were frequently stained in blood.

"I crossed the Colorado River near Fort Mohave January 20th, 1864. At that time there was no real settler in Mohave County. A company of California Volunteers under Capt. Charles Atchison was stationed at Fort Mohave, as a road had been partly worked from Santa Fe, New Mexico, to Los Angeles, California, via Fort Mohave, and the Indians were found

to be hostile and required the presence of United States troops to keep them in check, as when permanent settlers began to settle upon land, the Indians soon broke out in general warfare.

"I came to Arizona seeking adventure. I brought with me some money and a stock of merchandise, including mining tools, etc. I will give a short history of what happened in the summer of 1866.

"The Indians of Arizona were different in their warfare from those in many other States and Territories; it was more like bushwhacking. Small bands of Indians would watch the roads and trails, and surprise and attack small parties or individuals, kill them and mutilate their bodies, and hide away in the rocks. They were rarely ever caught or punished by the United States troops, yet after a bloody war of ten years, General Crook managed to enlist Indians (as all Indians were then at war with their neighboring tribes) and succeeded in conquering and making peace, except with a part of the Apaches located at San Carlos. It seems that a line was run around this tribe and established as a reservation. These Indians were not first conquered and put on a reservation as they should have been; hence the consequences that have followed.

"In June, 1866, four men came to my place on the Colorado River. They were mounted on good horses, had three pack animals, and were going east of Prescott to look up some mines they claimed to have heard of through a soldier scout. In talking with them I learned that not one of the party had ever had any experience in an Indian country. They had read of the

noble red man in Cooper's novels, but admired rather than feared the noble red man of the mountains of Arizona. I told the party that if they would rest at my place about three days, I would accompany them as far as Prescott. They consented. The real fact was I was satisfied they would not reach Prescott unless I did see them through. So I tied my blankets to my saddle, packed a few pounds of dried beef, jerky, a little coffee, sugar, crackers, etc., to last four days, as the distance to travel was a hundred and sixty-five miles, without house or inhabitant. The third day out we reached the summit of the Aztec Range, since called Juniper Pass. It was about 10 a. m. The grass was good, so we camped for a rest, as before us lay a ride of ten miles through a rocky, bushy canyon. I advised that we let our stock rest till dusk, as it would be much safer to ride through this canyon in the night. We had hardly got our stock unsaddled and picketed, when we heard what appeared to be a wild turkey gobble not a quarter of a mile away. The turkey appeared to be in a small, rocky, bushy canyon, leading up a low mountain to the south of us. My travelling companions now declared that nothing would taste so good as a fine, fat wild turkey. I told them it was not a turkey they heard, but Indians imitating a turkey to lead them into the rocks and brush so they could fill our backs with arrows, as our breechloading rifles were too formmidable weapons for open warfare against the bow and arrow. But my companions did not believe me. Such was their appetite for wild turkey that they were ready to risk their lives. I reasoned with them and said: 'You see it is

now ten in the morning. Wild turkeys do their gobbling on the roost, never so late as this in the morning. Again, if we have frightened a flock of turkeys, they would cry "Quit! Quit!" and sulk off into the brush out of our reach, for it is the time of year they have their young.'

"My reasoning they did not heed, but turkey they must have; so I took my rifle in hand and went with them toward the canyon. The turkey seemed to travel as fast as we did, and kept up its gobble. As we reached the mouth of the bushy canyon, I called their attention to footprints in the sand, some made by bare feet, and some by moccasined feet. This took away their appetite for wild turkey. We returned to camp and when it was dark we packed up and rode nearly twenty miles that night to open country. I was then, and have since been, satisfied that I saved the lives of this party. However, a few months later I learned through the 'Arizona Miner' that two of these men were waylaid and killed by the Indians.

"I had taken a contract to haul government freight from Fort Mohave to Fort Whipple, near Prescott, and Camp Verde. There was to be about six hundred tons of freight, and the contract commenced July 1st, 1866. I had purchased ten mule-teams of ten mules each, also ten oxteams of twelve oxen each. With these teams I intended to haul this freight. The country from the Colorado River to Fort Whipple, a distance of a hundred and sixty-five miles, was uninhabited. I was obliged to build a road first, then fit out men with improved arms, and would generally hire men (sometimes men who were travelling through from California would volun-

teer for protection) to assist to guard the trains while en route, and improve the roads when needed. For wagon-master and drivers I hired a party of young men who came through. They had been driving teams on the plains from the Missouri River to Santa Fe, New Mexico, for Russel, Majors & Co. and were thoroughly posted on Indian tricks and Indian warfare. They had had a little experience in the army of the South that helped accustom them to the use of arms, and they were of the right stripe—full of grit and dash. I believe those men would rather have fought Indians than eat when hungry. They really enjoyed themselves. They looked upon an Indian as a wild beast, and they always got away with the fight. During that fall and winter many an Indian was converted from a bad Indian into a good one, and they remained good ever after. In fact the Indians learned to fear these drivers and gave them a wide berth, and made but little trouble after a few brushes. I did not lose a hoof of stock during the year those boys handled the teams.

"I loaded the mule train with freight about the 10th of September, and told the boys as they pulled out that I would overtake them on the road and stop a day with them, and be at Fort Whipple to help unload. I was detained at home two days longer than I expected, but finally got off at 4 p. m. alone, intending to take advantage of the darkness of the night for my protection. The Indians were either superstitious about night or cowardly. They never attacked at night, but were always up at daylight and would sometimes try to stampede the herd, but with my train always lost out. I would ride

two or three hours fast, then dismount and let my horse roll and pick grass about five or ten minutes, then saddle up and go as fast as the horse could travel and stand up to it. I expected to have reached the train before morning, but it had had good luck and made more miles than I expected. I rode a noted large buckskin horse. When daylight came I found old camping places. I rode on until after 4 p. m., until I overtook the train, and had ridden over a hundred and twenty miles. The train had camped on the same ground that I had camped upon when the turkeys tried to fool me. During the day I noticed signal smokes rise from hill and valley and mountain tops. I could read these signal smokes. They meant war. I could read in these pillars of smoke the number of teams I had, and the number of men with the train.

"The question will naturally arise, how did those Indians make those signal smokes? In those days the Indians had no knowledge of matches. They had no guns. Each Indian when out on the warpath carried two sticks, one of dry stock of beargrass with notches cut in it, and the other a hard stick like an old fashioned fog-horn ramrod. They would place the sticks with notches on the ground, put their feet on it, and set the other stick with the end in the notch, then roll fast between the hands. Within half a minute they would start a blaze of fire, caused by friction. These sticks the Indians called 'ocacha.' They sometimes used flints. These the Indians called 'otavia.' When the fire was started they would sprinkle a little pulverized pitch or resin on it, and this would start a black smoke quick. Then they would

spread a handful of green weeds or grass on the fire and a white smoke or steam would follow. Again they would remove the grass and blow the fire a little, and add pitch. Thus dots and dashes would be made, quite like the old-fashioned way of telegraphing on paper. Again at night I have seen signal fires on the side or top of mountains and a blanket or robe passed in front of it conveyed information. There was no patent covering this way of conveying news by the savages. I have seen on a calm day a column of smoke with black and white spots rise near one thousand feet high. I have known correct news concerning the movements of United States troops in war times to be smoked through at least three hundred miles in two or three hours, and news by courier five or six days later would prove the news by Indians to be correct.

"As I dismounted, Jack, the wagon-master, said: 'We will have fun to-night.' I said: 'All right, we'll give them the best we have in the house.'

"The teams were unharnessed and hitched to the wagons, and fed grain. There were in the train ten drivers and one wagon-master, and two night herders. These men had their beds on top of loads and with a wagon sheet over them, would ride and sleep during the day. There was also a cook, and it so happened that five tramps or extra men were along. As soon as we could get supper the night herders took the stock, my horse included, out about one mile in open ground to herd. Two of the drivers went along. This time they spread their blankets under a tree and went to sleep. At a little before day these men were called and saddled up ready for

a jump. They well knew the custom of the Indians to stampede a herd at break of day, and the boys had fixed for them before retiring. Several of the lead animals were hobbled side and fore so they could not run.

"With the train there was a man, German by birth, whom they called 'Dutch Jake.' He had an old white horse. I advised him to put his horse with the herd. This he refused to do, and said he would take care of his own horse. So he took him some fifty yards from camp and picketed him to a small tree, and spread his blanket down by the tree. When I returned at 7 p. m., all was still and quiet in camp. Having gone without sleep the previous night, and made a long ride, I was tired and soon fell asleep. I was awakened by the alarm clock going off in the wagon-master's bed. In five minutes all hands, including myself, were up and dressed. The fact was that but little undressing was done. Every man had his rifle by his side and his revolver in his belt, so when we got up we could get up shooting if necessary. We watched for the noble red man, who did not come but had been. I noticed that the Dutchman's horse was missing. I called Jack, the wagon-master, and said, 'Jack, the Indians have got the Dutchman's horse.' He said, 'It served the fool Dutchman right, he knew so much.'

"As soon as it got a little light, the Dutchman went to the end of the picket rope, which had been cut. He at once discovered prints of bare feet. He said, 'Who has been out here mit his bare feet on?' I said, 'Indians.' Then he kicked himself and talked broken English mixed with Dutch. Finally, as it got fairly light, he

advised him to stop with the
would. We all saw the trap a
poor fellow climbing to be shot.
in, and by this time the Dutchn
a little open space near his hor
denly stopped, fired his rifle, a
liar moan and yell. I well reme
ent expressions made by the b
'The Dutchman has got his dose.
marked: 'We will have Jake for b
will mix a little Indian with
dropping his gun the poor fellow
for camp. One of the boys sai
want his horse.' Another said, '
further use for a horse, he won't g
poor Dutchman got within thirty
and fell. I got hold of a canteer
ran to assist him, but he was dead
arrows out of his back and sides.
out of his mouth and nose.

"While looking at the dead n
little stir in camp. I looked up a
horses saddled (we could not d
mule in a fight). My h—

three boys and climb up that open ridge to the right, and get there, you know.' These men threw themselves into the saddle and rode the horses up the rocky steep in remarkably quick time. The Indian, when he gets hold of a horse, hates to lose him again. They had double hobbled the Dutchman's horse, and tied him to a tree, so the horse could not be easily freed. As the Indians saw the boys coming two of them attempted to free the horse and ride him away, but Sam was too quick for them. He rode to within about one hundred yards of the horse and dismounted, and left one man to hold the horses. The other three opened fire just as one Indian had got on the horse, and the other was climbing on. Result, both Indians were instantly killed. I then heard Jack fire. He had dismounted and left one man to hold the horses, and the three opened fire on the red devils as they skedaddled through the brush. I had not eyes enough. I could not see all that was going on at once. I enjoyed the sport hugely.

"Sam soon got back to camp. He had peeled the scalps from the two Indians he had killed. He also had their bows and quivers of arrows. These scalps were fastened to the bridles of the lead mules or forward team, and the long black hair would wave and frizzle around. These scalps had to be taken as a sort of voucher that good Indians had actually been made. Jack soon returned to camp without scalps. He reported: 'As soon as I dismounted, I saw a big Indian dressed in buckskin, with a feather in his cap, painted black. He was not fifty yards from me and seemed to be giving orders. I put my rifle to my face and pulled for his heart. At

the crack of my rifle he jumped about three feet in the air, gave a whoop and fell, and began crawling off into the brush. Several other Indians came to his assistance, so I got one more fair shot, and the boys all got two good shots each.

"'I think that old fellow was a chief,' Jack continued. 'I would like to have had his scalp, but did not care to crawl around in the brush to hunt dead or wounded Indians, as I well know that as long as there is life in an Indian he will fight back. He is like a wounded wolf or bear.'

"During all this time the cook had been perfectly oblivious of what was going on. He had cooked breakfast; the balance of the teamsters had harnessed up and fed the teams, and a man had set at work and dug a shallow grave. The Dutchman was wrapped in his blanket and buried under a large juniper tree, without ceremony or prayers. It would have frightened a tramp to have heard some of the remarks that were made at that breakfast.

"When breakfast was over, Jack said: 'We have the start of the Indians, and there must be over a hundred at least around our camp. Our trouble is not yet over, for they may try to retaliate, but we will keep on the safe side.'

"I was ready to obey orders, and so informed the wagon-master. Said he: 'We may be attacked in the canyon ahead. You take those three men and follow the rear of the train, and I will take these other men and keep along ahead on the side of the canyon, so I can defend the advance.'

"We went all right for three or four miles, when I heard Jack's rifle crack, and a 'whoa' all

along the line. I jumped on a rock and saw the sport. Jack had scared a fine buck out of the thicket, and about the second jump the buck made, Jack shot him through the heart. The buck made a few more jumps, and fell in the road not five feet ahead of the lead team, dead. The team started to turn and stampede, but a little help from the cook stopped them, and got them around all right. The entrails were taken out of the deer, and its carcass thrown on the wagon to be served for supper.

"Again we started down the rough road. Soon Jack and one of his men fired four or five times. Again I looked and found they had killed two wild turkeys. These were also thrown on the wagon.

"About two p. m., we came to a little prairie and a small spring of cold water. We camped and turned in. I at once wrapped myself in my blanket and fell asleep, only to awake suddenly. I dreamed I was in an Indian fight and got shot, and as I jumped up the boys had a good laugh. However, I soon got to sleep again. At 6 p. m., I was awakened for supper. We had venison, roast; broiled and stewed turkey a la campfire. I was hungry, and particularly hungry for wild meat, and I got outside of an immense quantity of this choice fat game. Is there a man living who has spent a few years on the frontier, or even went out on a hunt and cooked by a camp fire that does not relish choice game when cooked to order to suit his taste?

"After supper was over and night came on, I saddled my horse and rode to Prescott, a distance of about forty-five miles, arriving in Prescott before daylight.

and one bear, so meat was ple
no signs of Indians. I travell
the next day, then travelled dur
arrived home during the next n
trip, one hundred and sixty-fiv
nights.

"A word about these young n
this little crew of teamsters or
They were all bricks, and had
hair in their heads. Several o
this Territory at the present
the two years that these men w
ploy, not one got killed or wo
men in my employ who were at
the road near Union Pass were ki
during the summer of 1866. The
Thomas McCall, William Brown,
lian. McCall was caught in the
trap that the Dutchman was. A
stolen. McCall followed and got
but was filled with arrows befor
property.

"This trap business is an old
Indians. General Custer —

I was several times within the ten years from 1864 to 1874 in tight places among Indians, but got out. I never feared but that an Indian would run or get behind a shelter to get an advantage. When I had the advantage, I cared but little for an Indian. I looked upon them as upon wild animals. They are wild human beings, and when hostile are but little better than a wolf or bear. Killing makes good Indians of them.

"About the wild game that was in Arizona at that time. The mountains were alive with game. The particular section described lies between two tribes of Indians, the Wallapais, sometimes spelled in Spanish, Hualapais, and Yavapais, or Apaches. As these tribes were at war they dare not hunt or be found in small parties in this country.

"It was not uncommon in travelling through the Aztec Pass, to see two or three hundred deer and antelope in a day. A little to the north of this there were large bands of elk. There was also the brown, the cross, and the cinnamon bear, too plenty for fun. There were also many carniverous animals: the cougar, the panther, the large grey wolf, and coyotes without number. Turkeys and quail were quite common.

"I have known three crack shots to leave Prescott in the fall of the year, and in camping on this divide, kill a four horse wagon load of game in three days, and return to Prescott, not being gone from home but six days in all. Sam accompanied this crowd. At one time as a band of antelopes ran past him, he emptied his Spencer six shooter rifle at them, killing five, and wounding three more that they got the next

day. The five were shot through the heart at a distance of from a hundred and fifty to two hundred yards, the antelope on the dead run at that. You would hardly think they had time to get their guns to their faces before they would fire, and the game would fall. This game has all been driven out or killed off, and the whole country around is overstocked with cattle and horses. Game is rarely seen, but there are cattle on a thousand hills."

The last expedition of King Woolsey, which is given in the preceding volume, was directed against the warlike tribes along the Colorado River, and, naturally it had a tendency to deter the Indians from open and aggressive warfare, but their sentinels were along every road on the lookout for plunder.

In the winter of 1867, according to Judge E. W. Wells, of Prescott, one night, when the faro banks and saloons were running at high speed in Prescott, there came into one of the principal saloons a Mexican youth, garbed as an Apache. He explained that he had been taken captive a few years before by the Indians, and that two of them had a camp upon the hill adjacent to the present waterworks of Prescott, where they had kept a lookout for two or three years previous. From this place they could spy upon Fort Whipple and the town of Prescott and locate every outgoing body of citizens or soldiers. He said that the two bucks who had accompanied him had left their camp in the early evening for further investigation around Fort Whipple, and he proposed to conduct a party to their camping ground, that they might be ambushed and killed or captured upon their

return. There was some delay in organizing the party, and when they reached the camp they found signs that the Indians had returned and, not finding the Mexican captive, had immediately fled. This will illustrate the policy pursued by the Indians at that time, which was to send out scouts in all directions, so they were advised at all times of any party leaving Prescott or Whipple on any excursion into the Indian country, and it was extremely dangerous for any party of two or three to go in any direction without exercising great caution and care, for at any time their lives might pay the forfeit of their temerity.

An interesting happening in Arizona, which, unfortunately, bears no date, but which may have occurred in either of the years 1865, 1866, 1867 or 1868, was the providing of the first Christmas tree. A description of this, taken from Orick Jackson's "The White Conquest of Arizona," is as follows:

"There is one Arizonan alive to-day who holds a unique station among men, and who enjoys a distinction that is beautiful and praiseworthy. His name is J. N. Rodenburg, and to him belongs the honor of being the first man who conceived the idea of zealously and fervently observing the birth of the Savior in a wild land, and providing the first Christmas tree to be erected in Arizona. This tribute to Christianity was initiated by him under conditions that would seem in this day of peace and plenty as difficult of execution, but those who are yet alive bear evidence to it in its every detail.

"Every desert has its oasis. When the day arrived that Arizona was to have its first Christ-

be had? And where we
come from to brighten the oc
tomary in events of this cha
was taken and in the skirm
'kids' were rounded up, toget
dozen others who were still y
tall. Mr. Rodenburg then got
cal harness, and, with an escort
into the woods to get the tree
sion. A beautiful fir was secu
dians permitted the party to r
This tree was erected in Rodenbu
thus was the 'big doings' starte
issued to the public for the prese
the tree. In that day, over fort
stores carried absolutely nothin
toys or trinkets, candies or bonb
here that the first serious prob
the committee. A big stock of b
purchased, and, with the assist
Orleans negro, three kinds of
skillfully moulded. This settled
of the programme, the candy b
manilla paper bags

trunk was scoured among the ladies who had recently arrived from the east, and a few bolts were donated. Various crude toys and goods were then manufactured by men conversant with the handling of tools, or skilled in such handiwork. Quite a respectable collection was secured in this manner, everybody contributing something that he either could manufacture or purchase. But the most important consideration yet faced the committee, and that was to secure music for the event. An inventory of the burg disclosed that there was but one musical instrument to be found—a violin, out of tune, and minus a string. The owner was conversant with but one air—The Arkansaw Traveller. This was humiliating to the directors, but there must be melody, and after the operator was admonished to play something half way through and then to repeat it with a change in cadence, the day arrived for the event—Arizona's first Christmas tree.

"The little home was jammed, and the men who usually wore hard-looking countenances, and in their reckless careers were accustomed to the rougher side of human life, recalled the long ago in old New England when they, too, were young, and when they also went up to get what was coming as their names were called out by the Superintendent of the Sunday School. So they weakened, as it were, and each gave himself up to the spirit of the day with a joyousness that was in harmony with their lives when they were home with the old folks beyond the Rockies. Mr. Rodenburg says that electric bulbs may glow in many colors from the Christmas trees of the present day, trained voices may chant the melo-

dies, diamonds and gilt-edged presents may ornament the garments, children may devour the many colored sweets that are run out by the ton, but that that old blackjack was just as good, that old tree was just as handsome, and above it all there was the genuine and the devoted spirit around that old Christmas tree of long ago that cannot be duplicated, because, he says, we did not mix the occasion then, as they do now, with discrimination and commercialism—we gave them all a run for their money."

Veterans of the First Arizona Volunteer Infantry Company "B," 1865–66.



1. Cheroquis. 2. Moh Ush. 3. Machie Gulack. 4. Moll Daker.
5. Chaequetz Am. 6. Hamaware Quineal. 7. Oh Wan.

## CHAPTER V.

### THE ARIZONA VOLUNTEERS.

GOVERNOR AUTHORIZED TO RAISE REGIMENT—FOUR COMPANIES ORGANIZED — ONE COMPANY COMPOSED OF PIMA INDIANS—REPORT OF CAPTAIN H. S. WASHBURN—REPORT OF LIEUTENANT OSCAR HUTTON—DISBANDMENT OF COMPANIES—FAILURE TO RECEIVE PAY—BIOGRAPHY OF CAPTAIN J. D. WALKER.

The following is compiled from original papers in the office of the Adjutant-General of the State of Arizona, which he has kindly placed at my disposal. These papers all refer to the organization of the Arizona militia, and their activities during the years 1865 and 1866.

On the 20th of February, 1864, the Governor of Arizona asked authority to raise a regiment of volunteers in Arizona for service for three years, or during the war, in reply to which he received the following letter:

"War Department,

"Provost Marshal General's Office.

"Washington, D. C., April 1, 1864.

"His Excellency,

"The Governor of Arizona,

"Fort Whipple, Arizona Territory.

"Sir: As requested in your letter of the 20th of February, you are hereby authorized to raise within the territory of Arizona one regiment of volunteer infantry to serve for three years or during the war. The chief mustering officer for the Department of the Pacific will exercise general superintendence over the recruitment, and

to him application should be made for any additional information that may be desired.

"All supplies will be furnished under existing regulations.

"Copies of the necessary regulations will be furnished you by the adjutant-general of the army.

"I am, sir,

"Very respectfully,"

(No signature.)

On the back of this letter is the endorsement:

"Gen. J. H. Carleton, Oct. 4, 1864.

"Mustering officer of dept. of New Mexico will direct mustering of Ariz. Regiment."

Genl. Carleton added the following endorsement:

"Headquarters, Dept. of N. Mex.

"Respectfully returned. If the proclamation of the Governor be issued, instructions will be sent from here. Arizona belongs to this department.

"JAMES H. CARLETON,

"Brig. General, Commanding.

"Oct. 14, 1864."

Under date of April 16, 1864, the following letter was sent to the Governor:

"War Department,

"Provost Marshal General's Office.

"Washington, D. C., Apr. 16, 64.

"His Excellency,

"The Governor of Arizona,

"Fort Whipple, Arizona.

"Sir: As requested in your letter of the 20th of February, you are hereby authorized to raise,

within the territory of Arizona, one regiment of Volunteer Infantry to serve for three years or during the war.

"The recruitment, organization and musters of the regiment must conform to that prescribed by existing regulations.

"The Chief Mustering Officer for the Department of the Pacific will exercise a general superintendence over the recruitment, and to him application should be made for any additional information that may be desired.

"All supplies will be furnished under existing regulations.

"Copies of the necessary regulations will be furnished you by the Adjutant-General of the Army.

"I am, sir,

"Very respectfully,
"Your Obedient Servant,
"JAMES B. FRY,
"Provost Marshal General."

For some reason or other this authority to raise a regiment was not exercised until the following year, when an effort was made, beginning in June of that year, to raise the regiment as required. In the meantime the commissioners appointed under authority of a bill passed by the First Legislature in 1864, authorizing the raising of a militia for the defence of Arizona against the Indians, and the issuance of bonds therefor, reported that it was impossible to float the bonds in San Francisco, in consequence of which this action was taken.

William H. Garvin was appointed Adjutant-General of the Territory, to whom all reports were made.

The records are very imperfect. There was much difficulty in raising men at that time. Those who were ready to enlist, mostly Mexicans, were out of employment and willing to take almost any job which would provide them with food and clothing; many of them were leaving the Territory, as, also, were many of the whites. This was particularly the case in the southern part of Arizona.

From the message of the Acting Governor to the Second Legislature, which will be mentioned hereafter, it appears that four companies were organized, one being of Pima Indians, and another of Maricopa Indians, the other two companies being largely made up of Mexicans. John D. Walker, who afterwards became identified with many industrial interests in the Territory, was captain of the Pima Indians company; Antonio Azul, a Pima Chief, was their first lieutenant, and W. A. Hancock, who afterwards located in the Salt River Valley and became identified with the early settlement of that portion of the Territory, was made second lieutenant. The picture on the opposite page is of some of the veterans of this company.

H. S. Washburn was captain of the First Company, which was recruited to its full strength, and Oscar Hutton was second lieutenant of the Third Company. I have been unable to obtain the names of the other officers. These companies were apparently mustered in and mustered out by the Military Department of the Pacific. They were hampered at the start by the want of supplies, arms and ammunition, although it seems that until the latter part of the year 1865, General Mason, who had

succeeded General Carleton in the command of the Department of Arizona, lent every assistance in his power.

The only records of Indian fighting by these companies that I have been able to obtain are as follows:

"Pima Villages, A. T.
"April 5th, 1866.

"General:—

"In compliance with your circular of March 30, I have the honor to state that my company is now on detached service at this place per S. O. No. 27, Hd. Qrs. Fort McDowell.

"The company left this place on the 27th ult., accompanied by two hundred and sixty volunteer Pimas and forty enlisted men of Company B, 1st Inf., A. V. Had a fight with the Apaches on the morning of the 31st, killing twenty-five Apaches, taking sixteen prisoners and eight horses. Had three Pimas wounded, one of whom died on the 1st. My company are armed with Mississippi rifles, worn, and are at present well clothed, but during the first six months service they were not. If the Territory could furnish two hundred carbines and pistols for two companies of mounted Pimas, it would be of great service in ridding this country of Apaches. The arms could be stored here and given to the men when going on campaigns and returned here again on returning, without danger of being lost.

"Yours respectfully,
"J. D. WALKER,
"Lt. 1st Inf., A. V.

"W. H. GARVIN, Adjt. Genl. Ty. Arizona."

The activities of Captain H. S. Washburn's company, which was recruited in the lower part of the Territory, are given in the following general report to the Adjutant-General of the Territory, bearing date September 20th, 1866, which gives a succinct narrative of the services and sufferings of his command up to that date:

"Hd. Qrs. Camp on Clear Creek.

"Sept. 20th, 1866.

"Adjutant General Garvin,

"Sir: I have the honor to acknowledge receipt of your favor of the 6th inst., requesting me to make out a synopsis of my service in the Arizona Volunteers, showing the number of scouts made, the number of Indians killed, prisoners taken, and the condition of my company, and in reply beg leave to say that as early as June last I commenced a minute report of such character as you have just requested, but the continual press of duties that could not be neglected, have prevented,—a rough and hasty report is all that I am now able to prepare.

"On the 24th June, 1865, I received from Gov. Goodwin authority to raise a company of infantry for Indian service in this Territory, to be known as Co. E, together with the appointment of 2nd Lieut., all on the same footing as other Volunteers in the service of the U. S., and was directed to take recruits to the commissary of musters at Tubac, who would subsist them till the company was organized. Eighty men was the minimum, and one hundred, the maximum authorized.

"With this authority I set to work and on the 15th Aug. 1865, eighty men had been sworn in—on the 21st, 96 men had been sworn in. From

the first the company was in command of Lt. Wm. L. Innes, Cal. Vols.; I could not be recognized as an officer until formally mustered into the service, which did not occur until the 3rd November, '65. While at Tubac, the men had to put up their own quarters or lay out in the heavy drenching rains, which soon engendered fevers, so that by the 20th Aug., 20 or 30 cases had occurred. On the 23rd the company was ordered to Fort Mason, 15 miles higher up on the Santa Cruz. Sufficient transportation was furnished and the transfer made in one day. Here new shelters had to be built, and a detail of ten to twenty men was required to aid in the construction of Post Quarters. Meantime sickness increased fearfully, and often to fill the details made upon me, required more or less of the sick. I had from the first asked, begged and pleaded to be kept in the field, hunting Indians, and not making adobies, that not being the service for which my company was intended. This, the commanding officer assured me, should be done as soon as the men could be mustered into the service and clothed.

"At Tubac I had been promised that the clothing would arrive in ten days. Thus things continued till very soon the sickly and ragged condition of Company E made them the laughing stock of their countrymen far and near. On the 29th October, a small amount of clothing was issued, and on the 2nd November, 97 men were mustered into the service of the U. S. as Company E, 1st Infantry, as Volunteers, and very soon after received a tolerable supply of clothing. On the 3rd November, Lt. Manuel Gallegos was mustered in as 2nd Lieut., John

Van Der Mehn as 1st Lieut., and myself as Captain. The 1st Lieut., who had in no way assisted to recruit the company, left the next morning without reporting to me, and has never done one moment's service in or for the company to my knowledge. A slight variation of duty was now made for Company E. The officers were recognized as such, and a portion of the detail or fatigue parties were changed to guard duty. Owing to the frightful amount of sickness among the whole command, the duties of the well or those who were able to be up, became very onerous—for more than a week I served as officer of the day every other day, and that at a post where there were eight companies nearly all fully officered. For a long time some of the Cal. Companies could not muster more than seven to eleven men at roll-call. I have omitted to mention that while stationed at Tubac, two recruits were sent to the San Antonio mine to recruit more men—three citizens accompanied them—just at night they came upon three Apaches driving a small band of stock from Sonora towards the White Mountains; an attack was made, one Indian was shot down and one captured—the other escaped. The stock consisted of a few jackasses, cattle and horses, which, with the prisoner, were taken to San Antonio mine. The prisoner, after being questioned closely, was delivered to Corp. Francisco Rodriguez and a private, both of Company E, who took them four or five miles, where laid the bones of a Mexican, killed a short time before by the Apaches. After being reminded of the barbarous warfare he and his people were waging against all around them, the captive's

spirit was soon sent a 'marching on' in search of one, who perhaps, this very Indian had assisted about two weeks before to inhumanly murder, at the same time stealing from the San Antonio mine a much larger number of stock than that now captured from them—also stolen. In October, 32 men Company E, and 8 men Company F, under command of Lt. Gallegos, were sent in pursuit of a band of Apaches who had stolen 35 head of stock from the Cerro Colorado mine. Lt. G. and party were absent eight days without seeing an Indian—he attributed his ill success to the timidity and cowardice of a citizen guide. This was all the field service done by the company in the lower part of the Territory. All of November was occupied in labor on the quarters and guard duty. On the 4th December, orders were received to report with my company to headquarters at Prescott. On the next morning the march commenced with a sick list of 29 men. All had been down at least once, but only one death had as yet occurred. Transportation was furnished only for the baggage, so that most of the sick had to walk with the well. A corporal and two men had been sent in search of a deserter, with orders to join their company immediately after their return. Six men had deserted on account of the order to go north. Arrived at Tucson on the 4th day—found all the sick improving but two, who were worse; applied to commanding officer of that post to have them cared for—this was refused—took them both on, and that night one of them died. Left the other one, after much entreaty, with the station keeper at Point of the Mountains, and he died the same week. No further

accident of moment occurred till we struck the snows at Skull Valley. From there to Fort Whipple there was much suffering and one or two slightly frost bitten. Arrived at Fort Whipple on the 29th December, making the march in 26 days, including one day's detention at Tucson for rations, two at Maricopa Wells, and one at Date Creek, all from the same cause. This even beats mail time, for on the 17th of this month, I received a letter from Ft. Mason, dated August 4th, 1866—18 days behind Co. E's marching time to Fort Whipple, and not deducting the 4 days detention, not an unusual sample of the Arizona mail service on any of the routes since 1861. At Fort Whipple the cold was extreme, no quarters for the men, whose condition was truly pitiable. They bore all patiently and manfully, and on the 4th January, 1866, were glad to hear the order for march to Camp Lincoln. This order occasioned no desertions. Only two had to be left at the hospital, who, to the end of their lives, will bless Doctor Chitter, and the old hospital at Fort Whipple for the good care and medical attendance shown them. The march to Camp Lincoln was a dreadfully tedious one, owing to the wagons being loaded to twice the capacity of the mules—the bad roads—bad weather, and Grief Hill, where we were detained three days by rain. Did not arrive at Camp Lincoln with the last of the command till the 16th January, which is still ahead of many instances of mail service in Arizona. Here we remained preparing the best temporary quarters that circumstances would permit, till the attacks a few miles above Camp Lincoln, when Lieut. Gallegos and 38 men Company E,

were ordered in pursuit of the Indians, and returned on the 31st without meeting with the Indians. On the same day, 31st, I was ordered to receive and receipt for all the public property at Camp Lincoln, both commissary and quartermaster, and next day, by ten o'clock, the command of the post had changed to my hands. The command consisted of Company A, Lt. Cervantes, 35 men, and Company E, 88 men and one second Lieut. There were no shoes on hand, and but a small supply of provisions. By means of buckskin and rawhide, moccasins were soon substituted for shoes, and on the 11th, Lt. Gallegos and 45 men, Company E, left the post with 5 days' rations, to go back on their last scout to the Indian trail running east, and following it in search of the enemy. The second night out Indian fires were discovered and preparations made for an attack, which commenced just after daylight, and lasted some two or three hours. The Indians being fortified in caves, had greatly the advantage. The lower caves, however, were all taken, and every occupant killed or taken prisoner. Lt. Gallegos, finding that the upper caves could not be taken without some sacrifice, concluded to withdraw. Thirty Indians were killed outside of the caves, and nearly as many more within. Twelve prisoners were taken, two of whom afterwards died. Six men were wounded, none dangerously. A large number of buckskins and other articles of Indian use were taken. Their commissary was found to be much better supplied than ours, but we were unable to pack off more than was needed for present use, for lack of transportation; indeed, no transportation was used on this or any

other scout. The scout occupied but four days' time, and on its return I had to leave immediately to get provisions for the next issue on the 20th. Fearing that I might not be successful, I left orders to issue only half rations on the 20th. This most of the men refused to accept, and were on the point of disbanding and leaving in a body. By much difficulty they were prevailed upon to wait until a messenger could be sent to me. Fortunately a temporary supply of provisions had arrived at Fort Whipple, so that I was able to return and quell the discontent in camp, which came near being a very serious affair. Provisions, however, arrived on the 25th, barely in time to keep off starvation, and to bring which required the efforts of 21 men, commissioned officers and privates, from the 18th to the 25th inclusive. On the 26th Private Roque Ramirez had permission to go hunting, and after his return at roll call, went out fishing, and next morning was found dead in the river about one mile below the post. He was killed by Indians, and his arms, clothing and ammunition all taken. During all the interval from the return of the last scout, preparations were being made for another scout, and on the 1st March, Lt. Gallegos and 60 men were dispatched eastward with five days' rations, without transportation, in search of the enemy, and returned on the 6th without seeing an Indian. Two very important items were lacking, one was a good guide, and also lances, the rifles furnished Company E having no bayonets. Application had previously been made for both, but the want of them was never so forcibly felt as on this scout. On the 20th, Lt. Cervantes,

with 26 men, all Company A, set out in accordance with previous orders, to find, if possible, and chastise the enemy. On the next day Lt. Gallegos, Company E, and 56 men, followed in a different direction. On the 25th Lt. Cervantes returned with two prisoners, and reported having attacked a rancheria and killing four Indians. On the 27th Lt. Gallegos and party returned, having found a small rancheria, but, being discovered, had only a fruitless chase through the brush and rocks. On the 11th March, I set out from Camp Lincoln with 27 men, Company E, for Fort Whipple, for provisions, and, taking unfrequented roads through the mountains to the northward of the travelled road, about midday unexpectedly surprised a rancheria, killing six Indians and taking one prisoner. Same expedition resulted in finding a much better route for wagons into and out of the Rio Verde Valley. Provisions were again procured in limited supply, and a speedy return effected to Camp Lincoln. Nearly the whole of this month was lost for the want of provisions in sufficient quantity to justify the undertaking of even a five days' scout. Nearly an average of 30 men, Company E, were kept on detached service, transporting provisions in small lots as I could get them. Twelve men had to be kept at the Clear Creek settlement, which, excepting during the months of March and April, was furnished by Company A. The month of May, until the 23rd, was passed in the same hand to mouth way of getting provisions, when Lt. Gallegos was again dispatched with 60 men on an eight days' scout. On the 29th they returned, having seen no Indians on the expedition, and

scarcely a sign of them, although they were ordered in the direction where many smokes and fires had been seen by a previous scouting party. On the 31st I had to leave the command again for provisions, taking with me 15 men for escort purposes. Arrived at Ft. Whipple on the 1st June, and next day loaded up ten pack animals with provisions, also taking five beeves. The whole were entrusted to Sergt. Miguel Elias, with precautionary instructions to be prepared at all times against surprise and attack. Notwithstanding this, on the 3rd, while descending Grief Hill, the Indians suddenly attacked the whole party, in three divisions of 20 or 30 Indians in each, severely wounding the sergeant and slightly wounding one private at the first fire. The Indians captured the five beeves, killed two of the mules on the spot, and destroyed several of the packs of provisions. The escort all escaped, taking in eight of the mules and their packs in time to prevent starvation in camp. Before two hours Lieut. Gallegos, with 30 men, was on the ground, but the Indians had all escaped to the northward, packing off all the mule meat and destroying the pack saddles and provisions on the mules. He followed them until dark; their route lay over a black volcanic rocky country so that it was impossible to follow them, there being no moon. On the next day I arrived with 30 days' supplies, and on the 15th dispatched Lt. Gallegos and 54 men on a scout to the northwest, in hopes of finding these Indians in their homes and by this time unsuspecting any pursuit. In this I was disappointed as they had not stopped at their old homes, but left one or two of their com-

rades to make smokes and other signs of their presence, and kept on with their prize of two head of beef cattle to a place of greater security for them. Two of their cattle they had lost, the other it is not known positively what did become of it. On the 29th the Lieut. returned after a fatiguing tramp of six days without seeing an Indian, and but very little fresh signs. The Indians made a circuit with their two beeves, and went in the direction of Black Canyon. On the 7th June, official notice of the resignation of Lt. Cervantes was received, and Company A was added to the command of Lt. Gallegos. The necessary transfer took up much precious time, and prevented an earlier pursuit of the Indians. On the 11th of July, Lt. Gallegos and 54 men were dispatched in a southeasterly direction with ten days' rations, with orders to enter Tonto Basin and use every effort to surprise the Indians there in their rancherias, who were supposed to reside there and farm in large numbers. On the 6th day out a small rancheria in a canyon leading into Tonto Basin was discovered, and the necessary preparations for attack made so as to secure the whole party, but in this our men were discovered, when a general stampede of the Indians took place. One warrior was killed, and one (an old man) taken prisoner. The rest escaped, leaving everything behind them. The Indians scattered to spread word of the danger that awaited their neighbors. Lieut. Gallegos, knowing that the whole Basin would be immediately depopulated, destroyed the cornfields and everything that fell in his way, and returned to Camp Lincoln on the 20th with the one prisoner

upon a rancheria of 26 lodges
fleeing into the mountains at
my small party, leaving ev
which fell into our hands. N
to Camp Lincoln, finding on m
beeves captured from Sergt.
June, and driving them in. Th
beeves killed for the command
June. Could beef have been
whole month of July would hav
by the command in a campaig
Mountains with 80 men. It is
regretted that the expedition c
been carried out as results of a
effect to the Territory, I am c
have resulted from it. On th
scouting party of 40 men unde
Sergt. Ochoa, (Lt. G. being sick
to follow up some Indians wh
wheat fields at Clear Creek by
some grain and a few tools. Th
were faithfully obeyed, but th
escaped 24 hours before word rea
depredations committed.

therefore made for their discharge and payment. On the 29th August, the command at Camp Lincoln was reduced to an aggregate of 5 enlisted men, all of whom were more or less sick, and myself, the only commissioned officer at the post, Lts. Gallegos and Ford being absent, sick. This force I believed to be entirely inadequate to remain at so retired a point in security. On the 30th and 31st, by the assistance of the settlers at Clear Creek, all the movable government stores were temporarily transferrd 6 miles below, to a place of greater security till reinforcements should arrive. By the 13th Sept. three more enlisted men were discharged, leaving two enlisted men, and they both sick. On the 15th Lts. G. & F. arrived, somewhat improved in health. On the 29th Capt. Downie, 14th U. S. Infantry, arrived and took command. On the 30th Lt. G. and one man Company E, and two citizens, attacked a thieving party of Indians in the cornfields, killing one Indian and frightening the rest effectually away, since which the settlers have not been troubled by their raids. The two men remaining in Company E will be discharged on the 1st, and 5th, of November, and with them Lt. G. and myself, which will terminate its organization, making 16½ months, the first 4½ of which I got no pay for time nor expenses incurred. In recruiting this company I used $500 my own funds, and nearly half as much more recruiting Companies F, G, and D, which, with the exception of a portion of Company F, were never organized. During all this time the whole burden and responsibility of the organization, both from the Government to the Company, and the Company to the Government, has fallen upon me. I have

long been accustomed to hard and active labor and to positions of some responsibility, but never have I passed a year and four months of such unremitting toil and care as the past. Had the actual needed supplies been furnished, there is no doubt but that the record of this company would have been such as its officers could look back upon with pride. As it is, they see but little except disappointed hopes and expectations. One thing at least has been proven, viz.: that the native troops are far superior to any others for field service in this Territory, and until this shall be taken as the basis of operations, no immediate good results can occur. Government may continue to spend its millions upon any other basis, and Apache raids will still continue, while 300 native troops, well officered, at an expense of less than $800 to the man per year, will, in less than two years, rid the Territory of its greatest bane and obstacle in the way of progress.

"Such are some of the principal events in the history of Company E, which I should have been glad to have made out much more *in extenso,* but duties that could not be deferred have prevented.

"Very respectfully,
"Your Obt. Servt.,
"H. S. WASHBURN,
"Capt. 1st Inf. Ar. Vols.

"P. S.—Before long I will endeavor to send you a sketch to accompany this report.

"H. S. W.

"P. S.—Among other omissions is that of the action between Sergeant Elias with 6 men Company E, and 27 Apaches, while returning from escort service to Prescott. The fight lasted two hours. Elias had a bullet shot through his hat

and one of the men was taken and retaken three times. One of the men lost his hat, and two of them a blanket each. The Indians had several wounded, two it is thought mortally. They retired from the fight just in time as the men had only three or four rounds of ammunition left at the close of the fight.

"H. S. WASHBURN,
"Capt. &c."

Captain Washburn must, undoubtedly, have been very active and energetic, and did good work considering the material he had and the difficulties under which he labored. The following communication will show that his services were appreciated by the regular military at that time:

"Hd. Qrs., Dis. of Arizona Ter.
"Tucson, Ar., June 25th, 1866.

"Capt. Washburn,
"Arizona Volunteers,
"Comdg. Camp Lincoln.

"Captain,

"It gives me pleasure to thank you and your command for several successful scouts against the hostile Apaches. I hope that you will encourage your men in their valuable services to the Territory, and that I shall soon again have it in my power to commend you in high terms to Department and Division Head Quarters.

"I am, Captain,
"Very respectfully,
"Yr. Obt. Servt.,
"H. D. WALLEN,
"Lt. Col. 14th Inf., Bt. Col. U. S. A. Commanding."

Official:
"H. S. Washburn,
"Capt. &c."

There is also a synopsis of a report made by Lieutenant Hutton, as follows:

"On the third of November, 1865, I was mustered into Company F as 2nd Lieut. to raise the company to its standard, Capt. Washburn having recruited 33, who were mustered in on said 3rd of November. On the 30th of November, the company numbered 85 men, Com. officers and privates. On this same day I was ordered to disband the 53 recruits that I had raised by order of Col. Lewis of the 7th Cal. Vols., stationed at Fort Mason, and on the 5th day of December, I was ordered to Prescott. My men not having shoes and shirts, on the 25th was ordered to report to Capt. Grant at Date Creek, which I complied with on same day. On the 6th of January, with 12 men, I was sent as escort for wagons en route for Prescott. Arrived on the 9th, thermometer down to 9 above zero. On the 16th arrived at Camp Date Creek; on the 21st one corp. and 5 privates on detached service. 30th one corp. and 6 privates on detached service. 1st of Feby. one corporal and 8 privates on detached service. 17th one corporal and 2 privates on detached service. 16th one non-com. and 2 men returned from detached service.

"19th left Camp Date Creek; proceeded to Skull Valley, and there took post. Arrived on the 21st. Feb. 24th one non-com. and 2 privates on detached service to Date Creek. One corp. and 5 men attacked by Indians and 2 men killed, one wounded. After fight of 3 hours' duration, the Indians were driven off. I consider that those men acted as bravely as men could under such circumstances.

"26th, arrived in camp one non-com. and 7 privates from detached service.

"I would state here that the weather was very bad, cold winds prevailing, and snow and sleet most every day.

"27th, one non-com. officer and 11 men on detached service to Date Creek.

"March 4, one non-com. and 3 privates from escort duty. 5th, one non-com. and 10 privates returned from escort duty. 7th, non-com. off. and 7 privates on escort duty. 15th, non-com. returned from escort duty. 19th one corporal and 6 men on escort duty to Walnut Grove. 23rd, returned with said escort. 21st, one corporal and 9 men on escort duty. 29th, one corporal and 4 men returned from escort duty. April 1st, one sergt. and one corporal with ten men, escort duty. 6th, returned. 7th, Lieut. Hutton on detached service with 5 men. 10th, returned with said men. 19th, 4 privates returned. 23rd, one corporal and 5 men on escort duty. 24th, returned with escort. May 1st, one non-com. and 5 privates on escort duty. 3rd, 3 privates on escort duty. 5th, one non-com. and 5 men returned from escort duty. 10th, one corp. and 5 men on escort duty to Prescott. 11th, one corporal on detached service with 5 men as guard for ranch. 13th, one non-com. and 3 privates on escort duty. 13th, one non-com. and 5 privates returned. 15th, one non-com. and 5 privates on escort. 21st, returned. 26th, Lieut. Hutton with 15 men on scout. Returned on June 1st after an arduous search after Indians, himself and men packing their blankets and provisions on their backs. 3rd, one non-com. and 5

privates on escort duty. 14t
6 privates on escort duty. 1
privates returned from esco
com. and 6 privates from esc
non-com, and 12 men on scou
no Indians. 12th, 3 non-com
scout after Indians with 1
Whipple under charge of Li
gust 2nd returned. Succeed
wounding 2, and capturing 2 ch
over 300 miles north north-eas
ley. August 13th, Lieut. Hut
and some 13 citizens, killed 2
one man killed and one woun
remainder of August escorted t
cott.

"Sept. I have a good dea
camp; have not been able, wit
at my command, to scout.

"I have run over my mor
noted such as are on these pages
into consideration that I hav
keep guard and do daily duty,
men in camp.

in as first sergt. from the 1st of August till 3rd of November.

"I am, sir, Col.,

"Very respectfully,
"Yr. Obt. Servant,
"OSCAR HUTTON,
"2nd Lieut. Co. F, A. Vols.,
"Comdg. Company."

The following letter from Captain H. S. Washburn to the Adjutant-General, under date of Sept. 12, 1866, from Camp at Clear Creek, gives some idea of what the settlers suffered at that time:

"Camp at Clear Creek, Sept. 12, 1866.

"Colonel,

"The Indians are now harvesting the corn at this settlement at the rate of about 30 or 40 bushels nightly. There is but one soldier left who is able to shoulder a musket, and he has charge of the commissary stores at this camp, what there are, no meat left. When the bearer of this leaves, there will be two citizens left who call themselves well. I am hourly expecting an attempt to take the stock. I have to do guard duty day and night.

"If assistance does not come very soon, I shall have to abandon what government property I am trying to protect, and seek security for myself and animals.

"Yours truly,
"H. S. WASHBURN,
"Captain, &c.

"To Lieut.-Col. W. H. Garvin,
"Adjt.-General,
"Ar. Vols."

It will be observed that these companies were raised under authority given by the Provost-Marshal General in 1864, and the term of service was for three years or during the war. The war between the States was ended the following year. No attempt was made to organize this regiment until the war was over. The troops were enlisted under the mustering in officer at San Francisco. On June 1st, 1866, Secretary McCormick wrote to the Secretary of War, asking their retention in the service, and authority to recruit a full regiment. This letter was referred to General Grant, who replied as follows:

"I know of no law under which this regiment could be raised, and special legislation would be necessary to provide for its equipment, subsistence and payment."

These Arizona Volunteers, besides killing a great number of Apaches, carried the war into the heart of the Apache country. They explored the Tonto Basin country; the country in and around Globe, and the upper waters of the Graham Valley in Gila County, going as far as the Natural Bridge in the northern part of Gila County.

Secretary McCormick, in his message to the Legislature in 1866, said: "Our Delegate proposed an amendment to the new army bill, whereby the companies already in the service should be retained." The Congressional Globe, however, has no report of Delegate Goodwin ever proposing such an amendment to the army bill. As a consequence, enlistments were discontinued, and those already in the service, some of them having served for more than a year, were disbanded on the first of the following July.

These soldiers were not paid, and have not been paid up to this date, by the General Government. They were disbanded and the settlers of Arizona were left to the tender mercies of the Apaches, with such meagre assistance as a very reduced force of regular soldiers could give them.

From an interview with Maj. A. J. Doran, who was particularly intimate with Captain J. D. Walker during his lifetime, I obtained the following short biographical sketch:

Captain Walker was born in Nauvoo, Illinois, about the year 1840. In early manhood he came to California, enlisted in the 5th Regiment California Infantry, and was appointed a wagonmaster.

Upon his arrival in the Pima Villages, it was found that there was a surplus of wheat and corn, which the Government traded for, and this was conveyed by wagon to the different posts of the California Volunteers, as far as the Rio Grande.

When Captain Walker received his discharge from the service, he settled among the Pimas at Sacaton, and, being part Indian himself, was adopted into the tribe. He was descended from one of the Illinois tribes. He was a natural linguist and soon mastered the Pima language. He originated the first grammar of their language and reduced it to a written language. Pastor Cook claims this, but Captain Walker was the man who did it, according to Major Doran. To all intents and purposes Walker became an Indian and was one of the big chiefs of the Pima tribe. He was a leader in all their councils and big talks. Having studied medicine

in his early life, he became the big medicine man of the tribe. He was a good physician and a man of extraordinary intelligence, somewhat of a scientist. He was a reticent man, never talking much, but had a wonderful fund of information on almost every subject, and he was very precise. He was not a graduate of any college, but was a great reader and a self educated man; a thoughtful man, somewhat of a philosopher.

He was elected surveyor of Pinal County by his party, and served as Probate Judge for several terms. The duties of this office he discharged with fidelity and intelligence. His word was as good as his bond. No one ever knew John D. Walker to go back on his word in any way.

He raised a company of Pima Indians for the Arizona Volunteers, and was made captain of it. It is said that when they were in the field you could not tell him from the other Indians. He dressed like them, with nothing on but a breechclout, and whooped and yelled like his Indian comrades.

He had a noted fight with the Apaches above Pinal at the Picacho. South of Pinal there is a big Picacho and a perpendicular bluff, all full of crevasses. Here he surprised the Apaches and got behind them, and those he didn't kill he drove over this bluff, wiping out the entire band, about seventy-five in number. "Even now," says Major Doran, "you can see on this battlefield the skeletons of the Apaches in the crevices; they were Tonto Apaches."

When he was Probate Judge Captain Walker lived in Florence, it being the county seat. Shortly after his induction into office, the Vekol

mine was discovered by an Indian, who showed it to Walker, and Peter R. Brady. They located it and worked it for a while. Walker bought Brady out, and took his brother Lucien, as a partner in the mine, and they worked it until they bottomed the mine. They took out about two millions of dollars, most of which Captain Walker spent among the Pima Indians, who were well taken care of.

Major Doran sold Walker's interest in the Reymont mine for a hundred and twelve thousand dollars, a hundred and five thousand of which comprised the greater portion of his estate when he died. Several years before his death Captain Walker was adjudged insane and placed in an asylum. Shortly before his death, in the year 1894 or 1895, a woman came out from Illinois and became his nurse, and conceived the idea of marrying him, which she did, the marriage ceremony being performed by an itinerant Greek minister. When Walker died the heirs consisted of three brothers and four sisters, all living outside of Arizona, and they asked Major Doran to become the administrator of the estate. Major Doran made application and was so appointed. The alleged wife also made application for appointment as administratrix, claiming that being his wife she had the best right to administer the estate. Major Doran contested her claim, and that suit was in litigation for over five years. It went to the Supreme Court of the United States and was decided in favor of Major Doran.

Soon after an heir cropped up in the person of an Indian girl, Juana Walker, who claimed to be Walker's heir because he had lived with

her mother and had been married to her under the tribal laws of the Pimas. This suit was contested by the administrator on the ground that a white man could not marry an Indian under the laws of the Territory. It was appealed to the Supreme Court of the Territory, and then to the Supreme Court of the United States, finally being decided in favor of the administrator.

After all these suits were disposed of the estate was divided among the heirs. The Vekol mine was reorganized, and McCabe, one of the lawyers of Juana Walker, received some of the stock, but, according to Major Doran, the Indian heir received nothing.

Major Doran says of Captain Walker: "He was somewhat of a scientist. I remember the Smithsonian Institute claimed that the Gila Monster was not poisonous. He contended that it was, and wrote a dissertation upon the subject, and sent it and a specimen to them for analysis. They reversed their decision and admitted that it was poisonous."

Of course there are many minor incidents in connection with Captain Walker's life in Arizona and elsewhere, but these comprise the main facts. The least that can be said of him was that he was a man of fine attainments, generous to a fault; the best type of the Western man, which embodies everything that is bold, chivalrous, and honorable.

Captain Washburn came from Mexico to Arizona, and after his term of service here, went to Washington, where he held a position in one of the Departments. He never returned to Arizona. Concerning Lieut. Hutton I have been unable to obtain anything whatever.

## CHAPTER VI.

### THE INDIANS AND THE MILITARY.

FIRST RESERVATION IN ARIZONA—INCREASED MILITARY PROTECTION AGAINST INDIANS—GENERAL MASON'S ORDER TO KILL ALL MALE APACHES ABLE TO BEAR ARMS—GENERAL MASON'S POLICY—CHARLES A. SHIBELL—HIS STORY—PRINCIPAL INDIAN FIGHTS IN NORTHERN PART OF TERRITORY—SKULL VALLEY FIGHT—FORT ROCK FIGHT—FIGHT BETWEEN MINT AND SKULL VALLEYS—BATTLE FLAT FIGHT—KILLING OF INDIAN AGENT LEIHY—KILLING OF DR. TAPPAN—RECEPTION TO GENERAL MCDOWELL AT PRESCOTT—GOVERNMENT FARM ESTABLISHED AT FORT MCDOWELL—MILITARY HEADQUARTERS REMOVED TO TUCSON.

Through the influence of Mr. Poston, Congress appropriated twenty thousand dollars for presents, etc., for the Indians on the Colorado River. This reservation was located in the latter part of the year 1865, and on it were gathered Iretaba's tribe of Colorado Mohaves. It does not appear that any other band of Indians were located permanently at that time upon this reservation. Iretaba, their chief, was taken on a visit to Washington, which so impressed him with the power of the nation, that he used his influence, meager though it was, to induce his Indians to discontinue their warfare against the whites. The result was that during the year 1865, there were but few murders committed by these Indians, their depredations being confined to the stealing of livestock. This was the first

reservation set aside by the general government for Indians in Arizona after the organization of the Territory, and it still exists to-day, where the Indians are cultivating their own fields, are self-supporting, their children are educated at a Government school, and the tribe will soon be prepared to assume all the responsibilities of American citizenship.

The larger portion of the California Volunteers were mustered out in September, 1864, and only skeleton forces remained to occupy and defend the posts. So hostilities continued with but little cessation, and the year 1865 came in with raids and depredations by the Indians in full swing. Early in February, 1865, Colonel C. E. Bennett visited Fort Bowie and condemned the quarters as being unfit for use, and recommended that the new quarters be made of rock. About this time Old Fort Buchanan was being used as a vidette station, some six or eight men being stationed there. On the 17th of February, 1865, it was attacked by about one hundred Apaches, who fired the roof of the building. The soldiers escaped, but afterward it was found that one was missing; whether he ran away or was captured and killed, it was not known. He was out hunting at the time, and probably was killed by the Indians. All the horses, clothing, supplies, etc., fell into the hands of the Apaches.

In the northwest part of the Territory, around Fort Mohave, there seems to have been much trouble. The commander of the post reported that the Indians had been massacring and robbing travellers and capturing freight trains. On February 22nd, orders were issued to arrest twenty of the Chimehuevi Indians, and hold

them as hostages until the guilty ones were delivered up. These Chimehuevi Indians lived across the Colorado in Pah Ute County. The Pah Utes in the same county were also at war with the whites.

Three years had been spent in war against the Indians since the advent of the California Column, and it became apparent to the military authorities that the force in Arizona was not sufficiently large to cope successfully with the Indians. On March 22d, General Drum wrote to the United States Judge at La Paz, stating that a sufficient number of troops for the wants of the public service were on the way to Arizona, and that the citizens of the Territory would receive full protection. Judge J. P. Allyn replied that the people were then leaving the Territory in consequence of the Indian hostilities, and he feared that the coming of the troops would be too late to stop them.

On February 4th, 1865, Arizona was transferred from the Department of New Mexico to the Department of California, and on the 20th of the same month, General McDowell assigned General John S. Mason to the command of this department, with a re-enforcement of California Volunteers, raising the force to about twenty-eight hundred men.

This re-enforcement included the Seventh Infantry California Volunteers under Colonel Charles H. Lewis, and the First Battalion Native California Cavalry under Major Salvador Vallejo, and, later, Captain John C. Cremony. In addition to these were the four companies of Arizona Volunteers already mentioned, which, as we have seen, were mustered out in July, 1866.

The California volunteers were also mustered out the same year.

General Mason arrived in Yuma on May 14th, 1865 and immediately set about arranging his command for the protection of the settlers. He ordered Captain Kendall to proceed to Prescott via Fort Mohave, and Company E was ordered to La Paz by steamer, with instructions to proceed to the Wickenburg District. General Mason found himself greatly in need of supplies, and to give the soldiers all the freedom possible in the use of their arms, he arranged to get citizens to haul supplies so as to relieve the troops from this duty. In his report he stated that the whole Territory was virtually in the hands of the Indians; that he was preparing to start Colonel Lewis with three companies of his regiment and some two hundred Papago Indians on a campaign in northern Arizona, also to start a force of cavalry and two hundred Pimas and Maricopas for the Tonto Basin, into the center of the Apache nation. The chief of the Maricopas, Juan Chiavria, was willing to furnish one hundred men. For his services he wanted to visit San Francisco, as other chiefs had been there, and he did not wish to be behind any of his neighbors in becoming acquainted with the whites.

Colonel Lewis did not accomplish much, and on June 15th he was ordered to abandon the post at Tubac, and establish his command at Calabasas. That part of the Territory south of the Gila River, and east of the Pima villages, was made a sub-military district. A few feeble efforts were made against the Indians. Colonel C. E. Bennett left Fort Bowie on June 26th,

1865, going by a circuitous route to Fort Goodwin, and, traveling nights to avoid being seen by Indians, he returned by another route, and, on July 3d, discovered a rancheria. The Indians escaped, but he destroyed what effects fell into his hands. The next day a few Indians were discovered, who made their escape, but twenty-seven head of cattle were captured and taken to Fort Bowie, where the command arrived on the sixth. Colonel Bennett started out again on the 10th, this time to explore for a wagon road via Fort Breckenridge to Maricopa Wells. Upon this trip he did not meet any Indians, but saw signs of them. On July 13th, 1865, Captain Messenger, with thirty men, left Tubac for a scout in the Huachuca Mountains. On the 22d he and fifteen men were surrounded and attacked by one to two hundred Indians. After about an hour's fight the Indians were driven off. Two of the soldiers were killed and one wounded. Captain Messenger returned to Tubac on August 4th.

In June, 1865, General Mason visited Fort Bowie, and changed the location slightly, and on the 29th arrived at Fort Goodwin. Governor John N. Goodwin accompanied him on this trip. They remained at Fort Goodwin for a few days, during which time not a single Indian visited the post, although they had been notified of the coming of the Governor and the General. They evidently feared some treachery, as it is stated that during the previous year five flags of truce had been violated. The General reported that the commander of the post, Major Gorham, was rendered incompetent on account of intoxicating liquors. On this account, and because of

blunders made at the time of the change of the department, matters were delayed for some time, and things were not in readiness for a campaign against the Apaches until November. From Maricopa Wells, General Mason proceeded to Prescott where, on October 31st, 1865, he issued General Order No. 11. Article V of this order says: "All Apache Indians in this Territory are hostile, and all men large enough to bear arms who may be encountered, will be slain wherever met, unless they give themselves up as prisoners. No women or children will be harmed; these will be taken prisoners. All rancherias, provisions and whatever of value belonging to the Indians that may be captured, will be destroyed, except such articles as may be of value to the United States, which will be turned into the proper officers and duly accounted for."

The campaign was to commence on the 25th of November and continue until the Indians were exterminated or brought to terms. A plan of operations was laid out for Colonel Lewis, commanding at Calabasas; Colonel Wright, commanding at the mouth of the San Pedro; Lieutenant-Colonel Pollock, commanding at Fort Goodwin; Major Benson, commanding at Fort Whipple; Captain Grant, with a company at Date Creek; Lieutenant Gibbs, with a detachment at Wickenburg, and Lieutenant-Colonel Bennett, commanding a force of friendly Indians, probably Pimas and Maricopas, who was ordered to scout up Salt River, and to take care "that these Indians do not through mistake, come in contact with scouting parties of whites." A few of these expeditions were of some effect, but on the whole the campaign was a failure,

and General Mason was even less successful than General Carleton had been, and, in consequence, he received the customary abuse which was always in plentiful supply for those who failed, no matter what cause led to such failure.

General Mason's policy was to place the Indians on reservations, offer them food and protection, and, on the other hand, to keep up incessant attacks upon them from all directions, which he thought would insure success, but his plan was interrupted by the withdrawal of the volunteers, and, in May or June, 1866, General Mason was removed. His plan was not much different from General Crook's who finally achieved success, but he lacked the means to carry it out.

During this period there was a lull in hostilities in the southeast, but settlers were still waylaid and murdered. One of the pioneers of that section was Charles A. Shibell, who was born in St. Louis, Missouri, in 1841, and attended the high school at Davenport, Iowa, and the Iowa College. He left St. Louis with his father, travelling with horse teams via St. Joe, the North Platte, and the Sweetwater, Humboldt and Carson route, through South Pass, to California, the trip from St. Joe consuming sixty days.

After a short period as a clerk in Sacramento, in the fall of 1861, Mr. Shibell entered the government employ as a teamster. February 15th, 1862, he arrived at Fort Yuma, and from there started toward the Rio Grande with the First and Fifth California Infantry, and the First California Cavalry Regiments. During this expedition he visited Tucson. On the 1st of Janu-

ary, 1863, he was transferred to Arizona, and returned to Tucson, then a small town. After a few months more of government service, he turned his attention to mining, later engaged in ranching and in transportation between Tucson and Yuma. He acted as Treasurer of the Tucson Building & Loan Association, and also of the Citizens' Building and Loan Association. From 1865 to 1868, he engaged in farming sixty-five miles south of Tucson. In 1876 he was elected sheriff of Pima County, and was re-elected in 1878, serving four years. Next he became interested in the hotel business, operating what is now the Occidental Hotel. In 1888 he was nominated county recorder on the Democratic ticket, and was duly elected. So satisfactory was his service that he was re-elected successively in 1890, 1892, 1894, 1896, 1898 and 1900, the last time without opposition, and with the endorsement of the Republicans.

By his first marriage Mr. Shibell had four children: Mamie A. and Lillie M., of Tucson; Charles B., of Los Angeles, California, and Mercedes A., Mrs. Green, of Los Angeles. The second marriage of Mr. Shibell took place in San Francisco, and united him with Miss Nellie Norton, a native of Alabama. To this union were born two children: Lionel J., who is in the employ of the Southern Pacific Company, and Orpha. Fraternally Mr. Shibell was connected with the National Union, and the Ancient Order of United Workmen. In the Arizona Society of Pioneers he held the offices of Secretary and President. During the three years in which he was a member of the board of school trustees, he was for one year president, and for two years

clerk of the board. He died in Tucson on the 21st day of October, 1908.

The following is from an address which was given by Mr. Shibell to the Pioneer's Historical Society, and it gives a very graphic account of conditions in Pima County in the early days of its settlement:

"In the early part of the year 1862 I arrived in Tucson in the employ of the government, and after a trip to the Rio Grande, returned here in February of the year 1863, and, leaving the government employ, became a permanent resident of the Territory. During the latter part of 1863, I went to Los Angeles, via Yuma, and returned to Mohave, spent two or three weeks there, and took a canoe trip from Mohave down the Colorado to Yuma in company with one Stebbins and James Gardner, who was afterwards murdered at Texas Hill in the latter part of the year 1864. From Yuma I returned to Tucson, and was in the employ of Gen. J. B. Allen from January to June, at which date the California Volunteer troop which had been stationed at Tucson was ordered to proceed to Las Cruces on the Rio Grande, to be mustered out of service. In the latter part of June I went to the Cerro Colorado mine in company with Alfonzo Rickman, John H. Behan, Charles Roberts and George Blair, where I remained until November in the employment of the company. While there I first became acquainted with Charles T. Etchells, W. W. Williams, C. H. Lord, John Miller, James Walters, and numerous others. During my sojourn at Cerro Colorado, a number of murders were perpetrated by the Indians, the names of most of the murdered

it is impossible to recollect. I recall among the murdered were William Wrightson, the manager of the Salero Mining Company, and after whom one of the peaks of the Santa Ritas is named, and the genial, pleasant, affable friend and companion, Francis A. Hopkins, who was a member from Pima County in the first Arizona Legislature; also a Mexican, name unknown, their servant, killed in the latter part of the year, 1864, at Point of Rocks, near old Fort Buchanan, now known as Camp Crittenden; Edward Stevens and J. S. Mills were killed near Patagonia in the early part of the year. In the fall of 1864 I returned to Tucson, remained until January, 1865, again returned to Cerro Colorado, where I was employed until May. Upon leaving went to Tubac, from which point I went to the Sonoita to try my hand at ranching, on what was the Finley ranch, now known as Maish's lower ranch in that valley, being then the most exposed settlement in the southwestern part of the country. William Rainey was my partner in ranching, and during the year 1865 the ranch was attacked three times; each time the Indians succeeded in running off all our stock. At that time there was no other ranch on the Sonoita, and our nearest neighbor was on the upper Santa Cruz, known as the Huababi, occupied by a Mexican by the name of Rafael Saavedra. Indian murders were very numerous during the year, and were confined amongst the Mexicans, whose names I cannot recall. In January, 1866, a party of Mexicans established a vineterillo or mescal factory at Casa Blanca, upper Sonoita, but in the course of a few weeks they were driven out, their stock

stolen, and two of their number killed, after which they abandoned the place. In April, 1866, they attacked the ranch, and although they did not succeed in killing anyone, they captured all our working animals and killed some of the cattle. Before the attack on us they had attacked the Huababi ranch, killing a Mexican, a woman, two children, one three the other five years old, and the owner, Rafael Saavedra. The circumstances under which Rafael Saavedra was killed showed the heroic mould in which pioneers were cast. The Indians had set fire to all the outbuildings and huts near the main house in which were Saavedra and his family, who could have protected themselves against the attack. The Indians had captured a woman, one of the peons or servants, and were dragging her away. Her heart-rending cries calling for someone to save her, reached the ears of Rafael Saavedra, who, resisting the appeals of his family not to leave them, rushed out, attacked the Indians, succeeded in saving the woman, but at the expense of his own life. He received a mortal wound from which that same night he died. This heroic act, if portrayed by the pen of Scott or Tennyson, would render immortal the name of Rafael Saavedra.

"During the year 1866 we remained at the ranch, but were not attacked, although parties of Mexicans were killed, along the southern border in our vicinity, the names of whom were unknown to us, our own personal loss being the stock driven off as fast as we could replenish it. During the latter part of the year one of our men, a Mexican, name impossible to recall, other than Juan, was killed within one hundred yards

of the house. After harvesting the crop we abandoned the ranch and moved to Tubac. During the same year the Indians attacked a party of Mexicans at the Arroyo de San Gayetano, about five miles south of Tubac, killing two men, two women and two children."

Mr. W. N. Kelly, an old pioneer of Prescott, furnished me with the following data relating to the principal Indian fights in the northern part of the Territory during the year 1866.

According to his statement, the Apaches and Mohaves gave great trouble to the pioneer settlers during this year. A band of them followed Freeman's train into Skull Valley, and when he went into camp the Indians came out on the hills and wanted to come into the camp. They professed to be friendly. They left their bows and arrows behind, but all of them had knives which they had secreted. They surrounded the train and became "sassy" and wanted Freeman to give up his supplies. After a little while an old squaw came into the camp and wanted to know why the Indians did not start in and kill the white men off, and at that they drew their knives and started for the teamsters who all jumped for their guns. Freeman had an old fashioned goose gun, both barrels loaded with buck shot. The Indians then took to the woods for their bows and arrows. Old Freeman turned his goose gun loose just as the Indians were leading away from him in Indian file, and he must have got six or seven Indians in one shot, which disheartened them. They had quite a little fight, but the Indians finally took to the woods. It is said that the woods were full

of corpses from that fight. Freeman did not lose a man. He afterwards died in Phoenix.

Binckley had a team and a train with Freeman. He had lost an eye in the Battle Flat fight, and he said that he had got even with the Indians. Every teamster had bows and arrows and other things which they took from the Indians. Fred Henry was one of the heroes of that fight.

The Indians engaged in that fight were from the La Paz reservation on the Colorado, and it was proved afterwards that they had followed Freeman's train more than one hundred miles to find a favorable opportunity for making the attack, leaving the river in small parties by different routes, and concentrating at different points.

In the fall of 1866 Poindexter was the mail carrier between Prescott and Hardyville, and was escorted by soldiers of the 14th U. S. Infantry, Pat McAteer, Ed May, and one other. They arrived one evening at Fort Rock and made a stop for the night. The day they got there Thad Buckman, the son of the man who kept the station, a boy of about fourteen or fifteen years of age, had made a little playhouse in front of the cabin in the form of a crescent of stones, about twelve or fifteen inches high. As Poindexter and his escort were ready to pull out the next morning, the Indians charged them. At the first shot they shot Thad Buckman through the leg, and his father through the groin, and the shots came so thick and fast that Buckman and McAteer could not get back into the cabin, and the two men and the boy dropped into the little playhouse, inside of the stones,

McAteer at the north corner, and the little soldier, whose name is unknown, at the south corner, and J. J. Buckman lay on his back inside the enclosure. The boy, with Poindexter and Ed May, finally got inside of the cabin and shut the door. McAteer set up a rock about eight or ten inches high and six inches thick, and lay so that when he shot that guarded his head.

There was a clump of bushes about two hundred yards from the cabin, and all day long McAteer was shooting into that clump of bushes, but as fast as he picked one man off, another took his place. The Indians had a Henry rifle.

Poindexter and May had guns which had defective sights so that they could not shoot well, and they loaded guns for Thad Buckman, and he would do the shooting. They would hoist him up to a loophole, and he would shoot from the inside of the cabin.

The little soldier of the 14th Infantry was shooting to the south all day, and keeping the force of Indians on that side from joining the others. The Indians were shooting at the cabin from three or four different points, and this meant keeping the fight up all day long against the whole tribe of Wallapais, of whom there were more than a hundred. There was one big Indian on a black horse riding back and forth, giving orders, and the little soldier said: "I believe I can get that fellow," and McAteer said: "Do it." The little soldier raised his sights, shot at the big chief, and dropped him.

They kept that up all day long, and next morning a train going into Prescott came along, and the Indians scattered.

Mr. Kelly also gave the following description of the fight between Mint Valley and Skull Valley.

There was a six mule team, driven by Joe Phy who was absolutely fearless. He had one escort with him by the name of McNulty. They were coming into Prescott, loaded with supplies, and had reached about where the hill known as Woolsey's Hill is. The Indians charged them and told Joe that if he would go off and leave his team and the supplies, they would let him go. Joe took one of the lead mules, put McNulty on it, and sent him back to Skull Valley. Joe took the other lead mule, and hitched him to the back of the wagon, and held the Indians off until McNulty had gone to Skull Valley and brought back help, and when the Indians saw them coming, they dispersed. He must have kept up the fight for three or four hours. The date of this fight is somewhat in doubt, but it occurred in 1864 or 1865.

Joe Phy was afterwards killed in a personal encounter with Pete Gabriel in Florence. His name will appear frequently in this history.

Fish's manuscript gives the following account of the fight with the Indians, known as the "Battle Flat" fight. Fish says that this account was taken from a manuscript shown him by Judge Brooks in Prescott in 1900, giving the whole details of the fight. It varies somewhat from the account given by Hamilton in his work, "The Resources of Arizona," and I am of the opinion that it is the true version, for the reason that it was taken from an original manuscript owned by Judge Brooks, whom all settlers in

Prescott will remember as reliable in all respects. The account is as follows:

"In the latter part of May, 1864, Stewart Wall, Frank Binckley, DeMorgan Scott, Samuel Herron and Fred Henry, started from Walnut Grove on a prospecting trip. They took three pack animals and a good supply of provisions. They took their time passing the Hassayampa and Turkey Creek, and camped on the 2nd of June on what has since been known as 'Battle Flat.' About two hours before daylight the next morning they were attacked by a large body of Indians. The Indians would, doubtless, have waited until daylight, but one of the boys raising up, led them to believe that they were getting up. Every man was wounded and two of the horses killed before daylight. There was a continuous shower of arrows coming from the enemy, who were all around in fearful odds, and the boys were driven from their camp, taking up their position some three hundred yards away where they were still surrounded by the foe. The Indians took possession of the camp and made a breakfast upon the two dead horses. The boys found themselves in a terrible condition—all wounded and some of them in a frightful manner. Henry was wounded in the arm, but his legs were all right, so it was decided that he should break through the enemy's line and go for help. He took Frank Binckley, who had a ball through the bridge of his nose which drove a bone into an eye putting it out, with him. It was feared that Binckley would go insane if left. The two attempted, at about eleven o'clock in the forenoon, to crawl through the brush, but were soon discovered, and a running fight was

then kept up for some distance. The men took a circuitous route to avoid being ambushed and to have the advantage in the ground. The party being aroused from their beds so suddenly, and in warm weather, had but little on, and these two wounded men made the run through the mountains from eleven a. m. until eight a. m. the next morning, barefooted. When they reached Walnut Grove a company of ten men soon started out and found the other boys, who had fought the Indians until in the forenoon, when the hostiles left, probably thinking that the game was not worth the cost. The boys were all taken in and all recovered but Sam Herron, who died nine days after."

The following account of the killing of George W. Leihy, Indian Agent, is taken from Hamiltons' "Resources of Arizona":

"Hon. G. W. Leihy was the Indian Agent at La Paz, and had the utmost confidence in those under his charge. Though warned that he had offended some of them and should be on his guard or they would kill him, he laughed at his advisers and would go about the country alone and unarmed. He made a visit to Prescott either in the fall of 1865 or 1866 with only one companion. About ten miles below Skull Valley the road passes for more than a mile through a rocky defile, where, in 1864, two prospectors named Bell and Sage were killed by Indians—hence the name, Bell's Canyon. On his return from Prescott, Leihy and his friend were waylaid and killed in Bell's Canyon by his own wards, and their bodies horribly mangled. His murderers at once returned to the reservation and spread the news, whereupon for two days

and nights there was great rejoicing among the tribe. Horses were killed and eaten, as was their custom on their days of feasting or celebration, and the residents of the town of La Paz wondered what the occasion was, until informed by some squaws that Leihy was killed, a statement soon confirmed by the next traveller over the road."

The Indian account, by Mike Burns, of the killing of Agent Leihy, is given in a preceding volume.

In September, 1865, Fort McDowell was established, with five companies of California Volunteers, as a point from which to operate against the Indians of the neighboring mountains. The post was situated on the west bank of the Rio Verde, about eight miles from its junction with the Salt River, and is about eighteen hundred feet above sea level. The sickly place called Camp Date Creek, about sixty-five miles southwest from Prescott, was first established as Camp McPherson in 1866, the name being changed in November, 1868. It afforded considerable protection to travellers between Prescott and the Colorado River.

The killing of Agent Leihy and his companion was entirely due to his own negligence. He had been warned not to travel without a sufficiently large escort, but wilfully disregarded the warning, and paid the penalty of his carelessness. Another instance of this negligence or carelessness resulted in the killing of Doctor Tappan in 1866. Dr. Tappan was escorted by Major Miller of the 14th U. S. Infantry. Major Miller said there were no Indians, but the party was waylaid in a canyon called Round Valley while

it was on its way to the Pima Villages. Dr. Tappan and four soldiers were killed, entirely through the carelessness or over-confidence of Major Miller, who said there were no Indians, and neglected to take proper precautions.

The "Arizona Miner" says that General McDowell was given a reception in Prescott on the 14th day of February, 1866, at which reception he stated that he had sent all possible troops to the Territory, including a regiment of regulars. According to the same authority, General McDowell issued a special order on February 7th, 1866, establishing a government farm at Fort McDowell in charge of Lieutenant Colonel Bennett, and authorized the employment of three men at $50 per month, and twenty men at $40 per month and rations, to build a ditch and drain and cultivate the soil.

On March 28th, 1866, the military headquarters for the Territory were removed from Prescott to Tucson.

## CHAPTER VII.

### THE INDIANS AND THE MILITARY (Continued).

REPORT OF JOINT COMMITTEE—REGULAR TROOPS POORLY ADAPTED TO FIGHTING INDIANS—RECOMMEND COMPANY OF RANGERS IN EACH COUNTY—CONTROVERSY BETWEEN GOVERNOR MCCORMICK AND GENERAL MCDOWELL IN REGARD TO TROOPS—"MINER" EDITORIAL ON COMMISSIONERS' REPORT ON INDIAN DIFFICULTIES.

The Third Legislature appointed a Joint Committee on Military and Indian Affairs, which made the following report to the respective houses:

"The Joint Committee on Military and Indian Affairs hereby report that they have had the subject under careful consideration, and beg leave to present the following conclusions:

"1. That the military force now in the Territory is entirely insufficient to protect the inhabitants from the depredations of the Apaches, Pah-Utes and other hostile Indians. That it is, in fact, inadequate properly to garrison the different posts, and to defend the roads and mails, not to speak of waging an aggressive war upon the barbarous enemy, which war is positively necessary to the successful opening of the country.

"2. That experience has proven that the regular troops are poorly adapted to Indian fighting in this country; that while they hold the forts, another force must be provided for the field—a force familiar with the haunts and habits

of the Indians, and who are eager to punish them.

"That, as set forth in the letter of Governor McCormick to the Secretary of War, in June last, the qualities shown by the several companies of native (or Mexican) volunteers, in service during the past year, were such as prove them to be the right men in the right place, and that it is much to be regretted that they were not kept in service. That the hearty thanks of the people are due to them for their marked efficiency, and that we earnestly recommend the Legislative Assembly to memorialize Congress for authority to raise a full regiment of them, (if it is thought that the men can be raised,) for the term of two years, confidently believing it to be the only step whereby the hostile savages can quickly, surely and cheaply be brought to terms.

"3. That for the immediate defense of the people, the organization of a company of rangers in each county, to serve only when actually needed, is a necessity; and that it is recommended that an appropriation to meet the expenses of sustaining the same be asked of Congress, as a just and reasonable demand.

"4. That the management of the Indian superintendency, for some time past, has been such as to injure rather than benefit the Territory. The Superintendent seems to have entertained the impression that he could discharge the duties of his important office by remaining in one particular locality, while it is the judgment of your committee that he should visit all parts of the Territory, and by actual observation and intercourse become familiar with the wants of the various tribes. This duty has been so en-

tirely neglected that many of the tribes are yet ignorant of the existence of a superintendent, and have had no share in the appropriations of the Indian department. As for instance, the Moquis, who have within the past year sent two delegations to Prescott, to make inquiry on various matters with which the superintendent should long since have made them familiar.

"The present unfriendly attitude of the Pah-Utes and Wallapais may be attributed to the same inexcusable neglect. Had the superintendent manifested any interest in them, they might have been kept in order. But worse than all, the superintendent has been unable to control the Indians living in his own immediate vicinity, as is clearly shown by the recent affair in Skull Valley, where they were the aggressors, and far beyond the imaginary peace line created by him.

"Your committee are of the opinion that the system of donations or presents to the Indians, or of feeding them in the hope of gaining their friendship, is a false one, and that to place them upon reservations without a distinct understanding that they are to remain there, and the necessary power to force a strict compliance with such understanding, is a stupendous farce. In conclusion, they would protest against the unfair representations of the superintendent, that the whites are determined to wrong the Indians, and that the recent offensive movements of the former against the Pah-Utes, Yavapais and Wallapais, are to be attributed to this determination.

"It is their opinion that, excepting against the Apache, who has always been considered hostile, the whites have not made any unfriendly

demonstration until entirely satisfied—as in the case of the Pah-Utes, Yavapais and Wallapais—that they are bent on war, and already guilty of unprovoked atrocities. In the popular judgment, that on the first sign of antagonism it is necessary to deal summarily and severely with all Indians, and that half-way measures are of no avail, your committee would express a hearty concurrence.

"O. D. GASS,
"Chairman Council Committee.
"A. E. DAVIS,
"Chairman House Committee."

The following year Governor McCormick, in a letter to General McDowell, urged that more troops be sent to General Gregg, and that that officer use discretionary views in dealing with the hostile Indians, and not have to submit his campaign plans to San Francisco for approval. The Governor said that the Pah-Utes, the Hualapais, and some of the Navajoes were on the warpath, also that the eastern tribes were active; to which General McDowell replied, under date of September 10th, 1867, in which he said that there were fourteen companies employed in northern Arizona, and thirteen companies in southern Arizona, which were all the troops that could be spared, and in which he also said that the Governor had expressed his satisfaction with this arrangement when in San Francisco. (Governor McCormick had visited San Francisco in 1866 to confer with General McDowell and the military authorities on affairs in Arizona.) General McDowell said, among other things: "You say men of experience are needed, as in the popular judgment here (Prescott),

which I can most clearly demonstrate, it is impossible for the commanding officer to act promptly and with effect, unless he has permission to move the troops without a delay in submitting his plans to San Francisco for approval, according to the exigency of the hour. After your return to Arizona from your visit to San Francisco to confer with the military authorities on the conditions of this Territory, you wrote me that you found 'general satisfaction' over all arrangements for the military affairs in Arizona. These arrangements, made while both you and General Gregg were here, contemplated the most active operations against the hostile Apaches with the forces in the District, and with these arrangements you both appeared to be satisfied, at that time. Under them General Gregg has not been restricted from moving his troops according to the exigency of the hour, and has not been required to delay in order to submit his plans for so doing to San Francisco for approval. How the public have any chance of knowing what my instructions to General Gregg are, or are not, is not seen, but it has been sufficient to form their 'popular judgment' against me, in which you concur, and as you have been furnished with copies of my letters to General Gregg, along with conditions of things, on July 23rd, I am not able to see how you can have justly concurred in it. You say, 'that in order to have anything like vigorous, speedy and aggressive operations, it seems absolutely necessary for the protection of life and property, and the holding of the country, that at least six cavalry companies should at once be added to General Gregg's command.' Your communication

will be sent to General Halleck for such further consideration as he may think proper to give it."

These cavalry companies were never furnished, but Arizona was left with an insufficient guard to protect herself against the Indians who, at that time, both in the west and in the east, were up in arms.

It seems that about this time a commission was appointed to inquire into the cause of Indian difficulties on the plains, and to suggest remedial methods. This commission made its report early in 1867, and, in an editorial in the "Miner," under date of August 24th, 1867, this report was reviewed as follows:

"HUMBUG.

"The commissioners appointed some months ago to inquire into the cause of the Indian difficulties on the plains, and to suggest steps for their suppression, have made their report, and we find a synopsis of it in our late eastern exchanges. General Sanford, one of the commissioners, says:

" 'To be secure it is necessary for the Government to abstain from an aggressive war. It is plain the history of the Indian wars furnish no instance where Indians have asked for mercy, or even a cessation of the same.' He recommends that all troops in the Indian country be employed in garrisoning military posts to protect wagon roads, railways and railroad lines, and the navigation and travel across the plains, and to punish and, if possible, kill the small thieving parties of Indians that come upon lines of travel. Commissioners should be sent to the

Indians and friendly relations restored. To jeopardize and sacrifice the lives of large numbers of our people for the purpose of carrying on a frontier war against a few Indians who can readily be kept at peace, is deemed unwise.

"General Sanford, in view of the facts narrated, recommends that we avoid war; says, second, that final and permanent homes be provided for the Indians; third, that a tribunal be established before which Indian wrongs may be redressed, and, fourth, that the Indian Bureau be organized into a Department with full authority to control and manage the Indian countries.

"The other commissioners report in a similar strain, and one of the Commissioners of Indian Affairs accepts their conclusion as favorable, sound and satisfactory, and gives a report to Congress by saying: 'The Indians can be saved from extinction only by consolidating them, and setting apart a territory for their exclusive occupation. The total cost of the Indian Bureau, in its extended form of operation, including all its expenditures, does not exceed $3,000,000 per annum.'

"Evidently all the commissioners have not had the actual experience to ascertain the correct idea of the Indian character. What could be more absurd to men who have lived upon the frontier, and dealt with the redskins, than the words of General Sanford, (whoever he may be), 'that in order to secure peace it is necessary for the Government to abstain from aggressive war?' What avail can it be to punish small thieving parties, when whole tribes are responsible for their depredations, and in league with them? The Commissioner of Indian Affairs

seems eager to save the Indians from extinction. What makes him so sensitive on this point? We doubt very much that the taxpaying American people, especially those who know the Indians in their true light, would wish to save them from extinction at any price, much less than $3,000,000 per annum, which the Commissioner seems to think a modest sum. We are not of those who would kill every Indian on sight, be he friendly or unfriendly, but we look upon all this appellation of war with the barbarians, who would impede the development and progress of civilization, as exceedingly silly and preposterous. The giving of blankets and beads has proven a sad farce, and it is surprising that a single man wishes to continue the practice.

"It should be made known to Congress that however well meant the reports of these Commissioners, they display a glaring ignorance of the Indians' character and history, and are not worthy of consideration. So long as Congress is humbugged into accepting and favoring such views, so long will life and travel upon the plains be wholly insecure, so long are the great American people at the mercy of a few thousand red devils, and power and force are the only arguments calculated to control. Let them know that the whites are most powerful, and soon all will be well. Let them continue to believe that we deem it necessary to propitiate them by annual offerings, and that we fear an aggressive war, and they will take our scalps and property for years to come."

## CHAPTER VIII.

### THE SECOND LEGISLATIVE ASSEMBLY.

FIRST REGULAR ELECTION—GOVERNOR GOODWIN ELECTED DELEGATE TO CONGRESS—SECRETARY MCCORMICK SUCCEEDS GOODWIN AS GOVERNOR—MEMBERS OF LEGISLATURE—CONVENING OF LEGISLATURE—MESSAGE OF ACTING GOVERNOR—CREATION OF COUNTY OF PAH-UTE—RESOLUTION OF LEGISLATURE REGARDING DEATH OF PRESIDENT LINCOLN—RESOLUTION OF LEGISLATURE REGARDING TERMINATION OF CIVIL WAR—SETTLERS IN AND AROUND PRESCOTT ASSESS OWN PROPERTY FOR TAXATION—REPORT OF FIRST TREASURER OF TERRITORY—POPULATION.

The first regular election in the Territory was held in September, 1864. At this election John N. Goodwin, C. D. Poston, and Joseph P. Allyn, were candidates for Delegate to Congress. The vote was as follows:

| Counties. | J. N. Goodwin. Union | C. D. Poston. Union | Joseph P. Allyn. Union |
|---|---|---|---|
| Yavapai | 409 | 52 | 118 |
| Mohave | 80 | 56 | 29 |
| Yuma | 56 | 149 | 26 |
| Pima | 162 | 3 | 208 |
| Total | 707 | 260 | 381 |

Poston declared that the election of Goodwin was secured through a combination of the military and Federal authorities of the Territory, and proposed to contest the seat of Governor Goodwin in Congress, but this idea he abandoned although there may have been some truth in his charge.

Poston served as Delegate for three months during the session of 1864–65, and the record of





RICHARD C. McCORMICK.

his activities is given in a preceding chapter. Governor John N. Goodwin was sworn in as Delegate on March 4th, 1865, and served until March 3rd, 1867, but it appears that he was still Governor of the Territory until April 10th, 1866, when Secretary R. C. McCormick succeeded him. Whether he drew salary as Governor and as Delegate does not appear.

The following were elected members of the second Legislative Assembly of the Territory at this general election:

COUNCIL.*

| Name. | Residence. | Occupation. | Age. | Where Born. |
|---|---|---|---|---|
| Yavapai County: | | | | |
| Henry A. Bigelow, | Wickenburg, | Miner | 32 | Massachusetts. |
| King S. Woolsey, | Agua Fria Ranch, | " | 33 | Alabama. |
| Robert W. Groom, | Prescott, | " | 41 | Kentucky. |
| Mohave County: | | | | |
| William H. Hardy, | Hardyville, | Merchant | 43 | New York. |
| Yuma County: | | | | |
| Manuel Ravena, | La Paz, | " | 49 | Italy. |
| Pima County: | | | | |
| Coles Bashford, | Tucson, | Lawyer | 48 | New York. |
| Francisco S. Leon, | " | Farmer | 43 | Arizona. |
| Patrick H. Dunne, | " | Printer | 41 | Maine. |

HOUSE OF REPRESENTATIVES.*

| Name. | Residence. | Occupation. | Age. | Where Born. |
|---|---|---|---|---|
| Yavapai County: | | | | |
| James S. Giles, | Prescott, | —— | 29 | Delaware. |
| Jackson McCrackin, | Lynx Creek, | Miner | 37 | South Carolina. |
| Daniel Ellis, | Turkey Creek, | " | 27 | Kentucky. |
| James O. Robertson, | Big Bug, | " | 28 | Tennessee. |
| Mohave County: | | | | |
| Octavius D. Gass, | Callville, | Ranchero | 37 | Ohio. |
| Converse W. C. Rowell, | Hardyville, | Lawyer | 35 | Vermont. |
| Yuma County: | | | | |
| Peter Doll, | La Paz, | Miner | 40 | Germany. |
| Alexander McKey, | " | " | 38 | Kentucky. |
| William K. Heninger, | " | " | 47 | Virginia. |
| Pima County: | | | | |
| Daniel H. Stickney, | Cababi, | " | 53 | Massachusetts. |

*Messrs. Leon and Dunne, and a member of the Council chosen from Pima County, in place of Mr. Aldrich, resigned, and eight members of the House from that county, names not reported, did not attend the session.

The Second Legislative Assembly convened in Prescott on the 6th day of December, 1865, and remained in session twenty-four days. Secretary R. C. McCormick was acting governor at the time and in his message to the Assembly said, in reference to agriculture and stock-raising:

"I cannot too strongly urge you to encourage the pursuit of agriculture. It has been a common impression without the Territory that, while our mineral lands were exceedingly rich and extensive, we were quite destitute of arable acres, and could never raise meat and bread, even sufficient for a limited population. This has arisen from the persistent misrepresentations under which Arizona has suffered. It is now known that no mineral territory has a better proportion of tillable and pastoral lands, while the climate, saving in the extreme altitudes, is such as to promote the luxuriant growth of all cereals, vegetables and fruits. For cattle and sheep the grass of the valleys, plains and foothills is nourishing at all seasons, and it is the opinion of herdsmen of wide observation, that no better grazing country has ever been found. Mining, however rich the placers or the quartz, can seldom be made lucrative where provisions have to be supplied from a distance. The plow and the sickle must keep company with the pick and the mill; and here, where in almost every instance we have in close proximity to the mines, valleys easy to irrigate, and of the richest soil, the work of the gardener and the farmer cannot fail to prove profitable, and should not be neglected. The experiments of the settlers eastward from Prescott, upon the Verde, and at

Walnut Grove, upon the Hassayampa, as well as those of the ranchmen near Prescott, during the past year, have abundantly proven the agricultural capacity of this central country. I have not seen finer grains and vegetables than have been grown here, and while it was supposed that in all cases irrigation would be necessary, there are instances where good crops have been raised without a drop of water beyond that furnished by the spring and summer showers. As the Apache is driven back, our settlers will be able to cultivate thousands where they now occupy scores of acres, and the tame Indians will greatly increase the size of their farms. Together they will not find it difficult to supply food at low prices for a dense population, and my confidence in the future of the Territory is based upon this good prospect, as much as upon the extent and excellence of its mineral resources."

Speaking of the Apache: "Whose hostile presence is, and has been the chief obstacle to the growth and development of the territory, utter subjugation, even to extermination, is admitted as a necessity by all who are familiar with his history and habits, and the more speedily it can be effected, the more humane it will be."

He recommended that Arizona be reinstated as a separate surveying district, saying: "However efficient the surveyor-general of New Mexico may be, it is not reasonable to suppose that, having his office at a distance of some hundreds of miles, through an uninhabited country, he can promptly and properly direct the work here required at his hands."

He also recommended that a petition be sent to Congress asking for a geological survey of the

Territory, saying: "A portion of the Territory, as large as the State of New York, is yet wholly unexplored by the white men."

In regard to the Colorado River, he said: "Confidence in the practicability of navigating the Colorado River at all seasons, as far as the new settlement of Callville, one hundred and forty miles north of Mohave, is rapidly increasing, and it is thought that for a great part of the Utah trade, it will prove the most expeditious and economical channel. This fact, with the importance of the river to our own convenience, prompts me to suggest a renewal of the memorial to Congress, adopted by the first assembly, praying for a small appropriation to remove the few obstacles which impede the progress and endanger the safety of steamers."

At this early date, the question of acquiring a port on the Gulf of California was urged. Mr. McCormick, in this connection, said:

"For the accommodation of the southern part of the Territory, the acquisition of the port of Libertad, upon the Gulf of California, is a matter of the first importance, and, whatever the controlling power in Mexico, it should be negotiated for at the earliest practicable moment. Its accession, with that part of the State of Sonora which lies between it and our present line, would give new life and consequence to the region below the Gila River, and be largely beneficial to the whole territory."

With reference to the extreme northwest quarter of the Territory, the acting governor said:

"The towns of St. Thomas and St. Joseph, on the Muddy River, the former near its junction

with the Virgin, and the latter twelve miles from that point, and both within a distance of forty miles north of Callville, upon the Colorado, now contain quite a population, and the whole country is rapidly filling with an agricultural people, chiefly from Utah."

He recommended that that part of the Territory be organized into a new county.

The question of mails and stage routes also received mention by Mr. McCormick, who said: "Since the suspension of the southern overland mail, at the beginning of the war, we have had neither post route nor postoffice within the Territory until during the present year. The routes now established, from Los Angeles to Prescott, from Prescott to Santa Fe, and from Tubac to Prescott, are highly acceptable, but at least two others are required for the public convenience—the old southern route, and one along the Colorado, from Fort Yuma to Callville, there to connect with one to great Salt Lake City. * * * We suffer greatly for the want of coach communication with California and New Mexico. * * * Thousands of persons, both in the east and in the west, eager to visit our mines and examine our country, are prevented by the great cost of private transportation. Until well-conducted lines of coaches are established, we cannot look for a great increase of population, however tempting our mineral wealth."

In reference to schools, Mr. McCormick says that Prescott was the only town that had taken advantage of the act of the First Legislature appropriating certain sums to the towns of Prescott, La Paz, Mohave, and Tucson. He said: "I am inclined to think that the existing provisions

for schools in various parts of the Territory are now sufficient. As the population of the Territory increases, amendment will be needed, and will, doubtless, be provided."

In the paragraph devoted to revenue, the acting Governor said: "The financial condition of the Territory demands your careful attention. It is only by the practice of the strictest economy that we can keep from debt while the population is sparse and the taxable property inconsiderable. I commend to you the axiom of Cicero as no less forcible now than in his age: 'Economy is of itself a great revenue.'

"The annual report of the Territorial Treasurer shows that the present sources of revenue have been inadequate to the payment of the current expenses of the Territory. In addition to the expenses of the year, the interest upon most of the bonds authorized under the act to provide for the contingent expenses of the Territorial government, will have to be paid early in the ensuing year. These amount to but fifteen thousand dollars in all, and the interest must be punctually met. They cover all the indebtedness of the Territory, excepting what is owing on the expenses of the present year. The Treasurer suggests that a property tax be levied in order to sustain the credit of the Territory. I would propose that the receipts for the sale of the Territorial mining claims be henceforth, and until our finances are in a better condition diverted from their original destination to the payment of the current expenses of the Territory, these, with all the counties organized and the taxes regularly gathered will, I believe, furnish the requisite revenue if no unreasonable indebtedness be incurred.

"Doubt has been expressed as to the legality of the provision of the mining law requiring the setting aside of the Territorial claims, and in some instances parties have refused to recognize them, which has depreciated their value and interfered with the sales made by the Territorial treasurer. In the opinion of the Attorney-general of the Territory, the provision is strictly legal, and the titles given by the treasurer are, in every particular, valid. I have instructed the Attorney-general to bring suits against all persons attempting in any way to deprive the territory of the benefit of these claims."

Under the provision mentioned by Mr. McCormick in reference to territorial claims, it might be mentioned that the Howell Code made provision that wherever a discoverer of a mine located a claim for himself, he was required to locate an adjoining claim for the territory.

The first act of this Legislature was one creating the county of Pah-Ute, the boundaries of which are shown by the map which forms the frontispiece of this volume.

The following laws were also enacted by this Legislature:

Setting the date for the holding of the Supreme Court of the Territory at Prescott for the fourth day of December, 1865.

Providing that all fees of public officers should be paid in currency, treasury, or legal tender notes of the United States, and providing a penalty for any officer who should demand or exact his fees in coin, gold, or silver.

Giving jurisdiction to justices of the peace of all civil claims not exceeding one hundred dollars in value, where the title to real property was not

exceeding one thousand
ment not exceeding one year
and imprisonment.

Creating a board of super
counties of the territory.
board of supervisors consistin
who were to be elected in th
other county officers, was
county; the board was given p
tion in their respective counti
to give them entire control of t
counties. Among the powers
them was the power to cause
furnished a courthouse, jail, an
lic buildings as might be nec
contained the following provis

"The board of supervisors
a board of canvassers and decla
turns, and cause a certificate
given by the Clerk to any perso
find to have been legally elect
or township office within the
that the Probate Judge shall ca
returns as to Supervisors

Probate Judges of the respective counties. The Governor was required to appoint the first board of supervisors in each county.

According to the "Miner," under this law George Coulter, James Grant and W. J. Berry were appointed for Yavapai County; William Forest, Robt. A. Rose and John Pearson for Mohave County; Thos. S. Smith, E. Billingsly and E. S. McGinnis for Pah-Ute County. No appointments were made at that time for Yuma and Pima Counties, and I can find no record that any were ever made.

Other laws passed were:

Providing for liens of mechanics, laborers and others.

Giving jurisdiction to the district courts in all mining cases.

Amending section 19 of chapter 33 of the Howell Code so that the same read as follows:

"An annual *ad valorem* tax of twenty-five cents upon each one hundred dollars value of taxable property is hereby levied and directed to be collected and paid for Territorial purposes upon the assessed value of all property in this Territory, not by this act exempt from taxation; and upon the same property the board of supervisors of each county is also hereby authorized and empowered annually to levy and collect a tax for county expenditures not exceeding one dollar and fifty cents upon each one hundred dollars of taxable property in such county; and upon the same property the board of supervisors of each county is hereby authorized and empowered annually to levy and collect such additional or special taxes as the laws of this Territory may authorize or require them to levy and collect; provided, how-

ever, that whenever the board of supervisors levy any tax they shall cause such levy to be entered on the record of their proceedings, and shall direct their clerk to deliver a certified copy thereof to the sheriff and treasurer of the county, each of whom shall file said copy in his office, and on the first Monday in July in each year, the board of supervisors shall proceed to estimate and to ascertain the amount of taxes necessary to be assessed upon the taxable property of the county for the year next ensuing, not exceeding for all purposes one dollar and seventy-five cents upon each one hundred dollars of the value of the taxable property in such county. In such estimate they shall specify the amount to be raised for each particular purpose. If for any cause said board shall not meet on the day above specified, they may meet for such purpose at any time within ten days thereafter."

There was also levied a poll tax of three dollars upon all citizens of the territory, except negroes and Indians, to be divided equally between the county and the territory.

A law was also passed regulating marriages; defining the blood degree in which marriages could be celebrated and prohibiting all marriages of white persons with negroes, mulattoes, Indians and Mongolians. Any judge, justice of the peace, or minister of the gospel, was authorized to perform the marriage ceremony. The rights of married women were defined; the wife to hold any property which she possessed before her marriage in severalty, and the husband the same. A married woman could carry on business on her own account, but all property accumulated during marriage, was common

property. The courts were given jurisdiction in all divorce cases.

By joint resolution the acting governor was authorized to procure a thousand dollars' worth of law books for the Territorial Library, payment for the same to be made out of the congressional appropriation to the library fund of the Territory.

The Legislature passed the following concurrent resolution regarding the death of Abraham Lincoln:

"WHEREAS, There has to this time been no formal expression of regret on the part of the people of Arizona, over the untimely and lamentable death of Abraham Lincoln, the sixteenth president of the United States; therefore

"RESOLVED, By the House of Representatives, the Council concurring, that we record our abhorrence of the dastardly act which deprived the nation of the valuable life of Abraham Lincoln, when his great statesmanship and noble character had won the confidence and applause of the civilized world; and the wisdom of his administration of public affairs, at the most critical period in the life of the American people, was universally conceded.

"RESOLVED, That here, where civil law was first established by the generous consideration of his administration, as elsewhere upon the continent, which owes so much to his honest and persistent devotion to liberty, to justice, and to the government of the people, his name is honored and revered as that of a true patriot, a profound ruler, and a magnanimous and unselfish man, whose highest motive was the public good, and whose consistent career has elevated the

dignity, brightened the renown, and enriched the history of the republic.

"RESOLVED, That a copy of these resolutions be forwarded to the family of the illustrious dead, and to the present President of the United States; also that they be published in the 'Arizona Miner' and in the principal journals of the Pacific and Atlantic States."

This Legislature also passed a concurrent resolution regarding national affairs as follows:

"WHEREAS, Loyalty, fidelity and steadfast obedience to the laws are cardinal principles with every good citizen, and a faithful support of those in authority in all lawful actions is the duty of everyone; and

"WHEREAS, Notwithstanding the bloody civil war which has so long desolated our land and carried mourning into every house is now happily terminated by the complete triumph of the Federal arms, and the acknowledgment of the Federal authority throughout our common country, yet many serious and perplexing questions arise as to the proper settlement of the difficulties between the different sections of the country; and

"WHEREAS, His Excellency, Andrew Johnson, President of the United States, has given every evidence of his loyalty and fidelity to the Constitution of the United States, and of his determination to stand by its landmarks amid the difficulties that surround him; therefore,

"RESOLVED by the Council, the House of Representatives concurring, that we take this opportunity to express, in common with the balance of our countrymen, our joy at the successful termination of the war, our sympathy with

those whose homes have been made desolate, and our gratitude to Almighty God for his protection in the trying hour.

"RESOLVED, That in the present Executive of the United States we recognize the patriot and the statesman—one worthy to occupy the high position once filled by the Father of his Country, and we pledge to him a faithful and unswerving support in the plan of reconstruction so successfully inaugurated by him in the southern States.

"RESOLVED, That we see exemplified in Lieutenant-General Ulysses S. Grant, the highest type of the heroic soldier, the patriot and gentleman—one upon whose brow may justly rest the palm of virtue, entwined with the laurel wreath, and that we claim, with grateful pride, our share of the glory which he has shed upon the American arms.

"RESOLVED, That to the gallant soldiers who have so nobly and gloriously fought in defense of their country and its liberties, in the trying contest just ended, we tender our grateful admiration and praise, and bespeak for them honorable distinction in the walks of civil life.

"RESOLVED, That these resolutions be spread upon the journals of both houses, and that copies thereof be sent, one to the President of the United States, one to Lieutenant-Colonel Ulysses S. Grant, and one to each House of Congress of the United States."

A resolution was also passed thanking the Honorable Samuel Adams, and Captain Thomas Trueworthy for the energy displayed by them in opening up the navigation of the Colorado River.

Among the Memorials to Congress was one asking for an appropriation to improve the navigation of the Colorado River; one asking Congress to give a land grant to the La Paz and Prescott Railway Company to assist that company in the construction of a railroad from La Paz on the Colorado River to Prescott, the capitol of the Territory; one asking that the benefit of the act of Congress approved July 2nd, 1862, in reference to the agricultural and mechanical colleges be extended to Arizona and other territories of the United States; one asking that a separate land district be created for the Territory of Arizona; that the office of surveyor-general be created, and that a survey of the public land of the territory be made; one asking that a reservation for the Yavapai, Pah-Ute and Wallapai Indians, and for the friendly Apaches, be fixed upon the lower Gila, and that the military force in the territory be increased.

On the authority of Judge E. W. Wells, of Prescott, the statement is made that after the organization of the territory in 1863, and the appointment of the territorial treasurer, the settlers and residents in and around Prescott made a list of their taxable property and its value, upon which they paid taxes. The first instance I know of where taxpayers, outside of corporations, were permitted to place a valuation upon their holdings and pay the taxes thereon. Arizonans, however, at that time, were patriotic, and were pleased with the prospect of having some semblance of civil government, so it can be stated, I think very truthfully, that there was no disposition on the part of

those of American birth to in any way evade the payment of taxes.

In November, 1865, John T. Alsap, first treasurer of the territory, made his report to the Governor, in which he stated that two hundred and seventy-four dollars of taxes had been paid by Pima County; forty dollars paid by Mohave county; nothing paid by Yuma county, and eight hundred and forty-one dollars paid by Yavapai county. Pima county had the largest population. Yuma county had La Paz, the principal town in the territory, with large commercial establishments, etc. The treasurer, under date of February, 1866, issued a circular to county treasurers urging prompt payment of territorial taxes, and, in default thereof, threatened to commence legal proceedings, which probably had the effect of increasing the revenues of the territory, and also of the counties. It is a remarkable fact that the Second Legislature passed no appropriation bill, its expenses being limited to the appropriation made by Congress.

In 1866 a census was made of the Territory and reported to the Governor. According to the "Miner," of June 27th, 1866, the population of the Territory, by counties, was as follows:

| | |
|---|---|
| Pima County | 2115 |
| Yuma County | 810 |
| Mohave County | 448 |
| Pah-Ute County | 541 |
| Yavapai County | 1612 |
| Total, | 5526. |

## CHAPTER IX.

### THE THIRD LEGISLATIVE ASSEMBLY.

ELECTION OF DELEGATE TO CONGRESS AND MEMBERS OF TERRITORIAL LEGISLATURE — MEMBERS OF THIRD LEGISLATURE — RESIGNATION OF MARSHALL DUFFIELD—HIS RECORD—MESSAGE OF THE GOVERNOR TO THE LEGISLATURE—DELEGATE GOODWIN'S ACTIVITIES IN CONGRESS—HIS SPEECH IN CONGRESS ON THE ANNEXATION OF THE COUNTY OF PAH-UTE TO NEVADA—MEASURES PASSED BY THE THIRD LEGISLATURE—RESOLUTION ADOPTED AUTHORIZING ATTORNEY GENERAL TO SETTLE WITH W. S. OURY FOR ARMS PRESUMABLY TURNED OVER TO MEXICANS—CAPTAIN CALDERWOOD'S STORY—LEGISLATURE ADOPTS RESOLUTION THANKING ARIZONA VOLUNTEERS FOR SERVICES—MEMORIALIZES CONGRESS TO REPEAL ACT GIVING NEVADA THE COUNTY OF PAH-UTE AND PART OF COUNTY OF MOHAVE—PETITION CONGRESS FOR ESTABLISHMENT OF MAIL ROUTES—WHAT THE THIRTY-NINTH CONGRESS DID FOR AND AGAINST THE TERRITORY OF ARIZONA—ATTEMPT OF UTAH TO SECURE POSSESSION OF PART OF ARIZONA—CONTROVERSY WITH CALIFORNIA OVER POSSESSION OF YUMA.

The following September an election was held for delegate to Congress and for county officers and members of the Legislature. The candidates for Delegate to Congress were Coles Bashford, Charles D. Poston, and Samuel Adams. Bashford received one thousand and nine votes; Poston five hundred and eighteen votes, and Adams one hundred and sixty-eight votes.

To the Third Legislature, which convened at Prescott on the third day of October, 1866, the following were elected:

COUNCIL.

| Name. | Residence. | Occupation. | Age. | Where Born. |
|---|---|---|---|---|
| Yavapai County: | | | | |
| John W. Simmons, | Prescott | Farmer | 55 | Tennessee. |
| Daniel S. Lount, | " | Miner | 46 | Canada West. |
| Lewis A. Stevens, | " | Farmer | 51 | Mississippi. |
| Mohave County: | | | | |
| William H. Hardy, | Hardyville, | Merchant | 44 | New York. |
| Pah-ute County: | | | | |
| Octavius D. Gass, | Callville, | Ranchero, | 38 | Ohio. |
| Yuma County: | | | | |
| Alexander McKey, | La Paz, | Miner, | 39 | Kentucky. |
| Pima County: | | | | |
| Mark Aldrich, | Tucson, | Merchant | 64 | New York. |
| Mortimer R. Platt, | " | Lawyer | 30 | " |
| *Henry Jenkins, | Tubac, | Farmer | 58 | " |

*Did not attend the Session.

HOUSE OF REPRESENTATIVES.

| Name. | Residence. | Occupation. | Age. | Where Born. |
|---|---|---|---|---|
| Yavapai County: | | | | |
| John B. Slack, | Turkey Creek, | Miner | 46 | Kentucky. |
| Daniel Ellis, | Postle's Ranch, | Farmer | 28 | " |
| Hannibal Sypert, | Prescott, | Miner | 32 | " |
| William S. Little, | " | " | 38 | Maryland. |
| Underwood C. Barnett, | Walnut Grove, | Ranchero | 34 | Arkansas. |
| Mohave County: | | | | |
| Alonzo E. Davis, | Hardyville, | Miner | 26 | New York. |
| Pah-ute County: | | | | |
| *Royal J. Cutler, | Mill Point, | Farmer | 28 | ——— |
| Yuma County: | | | | |
| Marcus D. Dobbins, | La Paz, | Miner | 39 | Pennsylvania. |
| Robert F. Platt, | Planet Mine, | Miner | 38 | " |
| *Wm. H. Thomas, | Arizona City, | Clerk | 26 | Maryland. |
| Pima County: | | | | |
| Granville H. Oury, | Tucson, | Lawyer | 42 | Virginia. |
| William J. Osborn, | Tubac, | Farmer | 32 | New York. |
| Henry McC. Ward, | Babacomori, | Contractor | 29 | Maryland. |
| James S. Douglass, | Tucson, | Miner | 38 | New York. |
| Oscar Buckalew, | Calabasas, | Farmer | 28 | Pennsylvania. |
| Michael McKenna, | Tucson, | Miner | 29 | Louisiana. |
| *Solomon W. Chambers, | Tubac, | Farmer | 44 | Ohio. |
| *Thomas D. Hutton, | Huababi | " | 40 | Tennessee. |

*Did not attend the Session.

Richard C. McCormick had been appointed Governor of the Territory in April, 1866. James P. T. Carter, of Tennessee, was appointed to the position which McCormick previously held, that of Secretary of the Territory. Marshal Milton B. Duffield resigned in the year 1865, and was succeeded by Edward Phelps of Vermont.

Milton B. Duffield, according to Captain Bourke in his work, "On the Border with Crook," was appointed Marshal by President Lincoln because of the courage he displayed in one of the New York riots during the early stage of the Civil War. After his term of office expired he lived in Tucson, where he became quite a bully and killed several men. It has been said that he was the only man in Arizona who dared wear a plug hat, as the roughs would shoot them off the heads of persons who wore them. He held the position of mail inspector for a time, which he discharged in a commendable as well as in a western style, the offender generally leaving for other parts when told to by Duffield. He was a tall, powerful man, and a crack shot. He was killed at Tombstone by a young man named Holmes, who had taken up a claim in which Duffield asserted an interest.

The part of the foregoing account of Marshal Duffield relating to his killing, is, according to C. E. Duffield, a nephew of the Marshal, incorrect. Mr. C. E. Duffield's account of the killing of Marshal Duffield is as follows: "He had gone to one of his mining properties 'about four days' drive from Tucson,' so it was not in a street fight at Tombstone. It was in 1872,

and the man Holmes afterwards confessed that he had shot him when Mr. Duffield had laid his gun down and walked away some distance, thinking no one was in that locality seeking his life, although he knew every desperado was after him. Holmes, it is stated, said that he received two thousand dollars for doing it. It was subsequently brought out that many of the officials were implicated in the murder, and that Holmes never was prosecuted. He said at the time that the motive was money more than revenge. Many had tried to kill Mr. Duffield on account of their crooked transactions, which seemed not to escape his close watch, and it demonstrated that the higher ups, as well as the lower downs, were after him, and got him in the end, as was usually the case in the early days of the west." Captain Bourke says that he met the ex-Marshal in Tucson about the year 1872 or 1873.

I give the following from Bourke's "On the Border with Crook," in reference to the ex-Marshal, which account, according to my recollection, is substantially correct:

"Who Duffield was before coming out to Arizona I never could learn to my own satisfaction. Indeed, I do not remember ever having any but the most languid interest in that part of his career, because he kept us so fully occupied in keeping track of his escapades in Arizona that there was very little time left for investigations into his earlier movements. Yet I do recall the whispered story that he had been one of President Lincoln's discoveries, and that the reason for his appointment lay in the courage Duffield had displayed in the New York

riots during the war. It seems—and I tell the tale with many misgivings, as my memory does not retain all the circumstances—that Duffield was passing along one of the streets in which the rioters were having things their own way, and there he saw a poor devil of a colored man fleeing from some drunken pursuers, who were bent on hanging him to the nearest lamp-post. Duffield allowed the black man to pass him, and then, as the mob approached on a hot scent, he levelled his pistol—his constant companion—and blew out the brains of the one in advance, and, as the story goes, hit two others as fast as he could draw bead on them, for I must take care to let my readers know that my friend was one of the crack shots of America, and was wont while he lived in Tucson to drive a ten-penny nail into an adobe wall every day before he would go into the house to eat his evening meal. At the present moment (in 1872) he was living at the 'Shoo Fly,' and was one of the most highly respected members of the mess that gathered there. He stood not less than six feet three in his stockings, was extremely broad-shouldered, powerful, muscular, and finely knit; dark complexion, black hair, eyes keen as briars and black as jet, fists as big as any two fists to be seen in the course of a day; disputatious, somewhat quarrelsome, but not without very amiable qualities. His bravery, at least, was never called in question. He was no longer United States marshal, but was holding the position of Mail Inspector, and the manner in which he discharged his delicate and dangerous duties was always commendable and very often amusing.

" 'You see, it's jest like this,' he once remarked to the postmaster of one of the smallest stations in his jurisdiction, and in speaking the inspector's voice did not show the slightest sign of anger or excitement—'you see, the postmaster general is growling at me because there is so much thieving going on along this line, so that I'm gitting kind of tired 'n' must git th' whole bizz off me mind; 'n 'ez I've looked into the whole thing and feel satisfied that you're the thief, I think you'd better be pilin' out o' here without any more nonsense.'

"The postmaster was gone inside of twelve hours, and there was no more stealing on that line while Duffield held his position. Either the rest of the twelve dollars per annum postmasters were an extremely honest set, or else they were scared by the mere presence of Duffield. He used to be very fond of showing his powerful muscle, and would often seize one of the heavy oak chairs in the 'Congress Hall' barroom in one hand, and lift it out at arm's length; or take some of the people who stood near him and lift them up, catching hold of the feet only.

"How well I remember the excitement which arose in Tucson the day that 'Waco Bill' arrived in town with a wagon train on its way to Los Angeles. Mr. 'Waco Bill' was a tough in the truest sense of the term, and being from half to three-quarters full of the worst liquor to be found in Tucson—and I hope I am violating no confidence when I say that some of the vilest coffin varnish on the mundane sphere was to be found there by those who tried diligently—was anxious to meet and subdue this Duffield, of

whom such exaggerated praise was sounding in his ears.

"'Whar's Duffer?' he cried, or hiccoughed, as he approached the little group of which Duffield was the central figure. 'I want Duffer (hic); he's my meat. Whoop.'

"The words had hardly left his mouth, before something shot out from Duffield's right shoulder. It was that awful fist, which could, upon emergency, have felled an ox, and down went our Texan sprawling upon the ground. No sooner had he touched Mother Earth than, true to his Texan instincts, his hand sought his revolver, and partly drew it out of the holster. Duffield retained his preternatural calmness, and did not raise his voice above a whisper the whole time that his drunken opponent was hurling all kinds of anathemas at him; but now he saw that something must be done. In Arizona it was not customary to pull a pistol upon a man; that was regarded as an act both unchristianlike and wasteful of time—Arizonans nearly always shot out of the pocket without drawing their weapons at all, and into Mr. 'Waco Bill's' groin went the sure bullet of the man who, local wits used to say, wore crape upon his hat in memory of his departed virtues.

"The bullet struck, and Duffield bent over with a most Chesterfieldian bow and wave of the hand: 'My name's Duffield, sir,' he said, 'and them 'ere's mee visiting card.'

"If there was one man in the world who despised another it was Chief Justice John Titus in his scorn for the ex-marshal, which found open expression on every occasion. Titus was a gentleman of the old school, educated in the

City of Brotherly Love, and anxious to put down the least semblance of lawlessness and disorder; yet here was an officer of the Government whose quarrels were notorious and of every day occurrence.

"Persuasion, kindly remonstrance, earnest warning were alike ineffectual, and in time the relations between the two men became of the most formal, not to say rancorous, character. Judge Titus at last made up his mind that the very first excuse for so doing he would have Duffield hauled up for carrying deadly weapons, and an occasion arose much sooner than he imagined.

"There was a 'baile' given that same week, and Duffield was present with many others. People usually went on a peace footing to these assemblies—that is to say, all the heavy armament was left at home, and nothing taken along but a few Derringers, which would come handy in case of accident.

"There were some five or six of us—all friends of Duffield—sitting in a little back room away from the long saloon in which the dance was going on, and we had Duffield in such good humor that he consented to produce some, if not all, of the weapons with which he was loaded. He drew them from the arm-holes of his waistcoat, from his boot-legs, from his hip-pockets, from the back of his neck, and there they all were—eleven lethal weapons, mostly small Derringers, with one knife. Comment was useless; for my own part I did not feel called upon to criticize my friend's eccentricities or amiable weaknesses, whatever they might be, so I kept my mouth shut, and the others followed my example. I suppose that on a war-footing noth-

ing less than a couple of Gatling guns would have served to round out the armament to be brought into play.

"Whether it was a true alarm or a false one I couldn't tell, but the next day Judge Titus imagined that a movement of Duffield's hand was intended to bring to bear upon himself a portion of the Duffield ordnance, and he had the old man arrested and brought before him on the charge of carrying concealed weapons.

"The courtroom was packed with a very orderly crowd, listening attentively to a long exordium from the lips of the judge upon the enormity and the uselessness of carrying concealed deadly weapons. The judge forgot that men would carry arms so long as danger real or imaginary encompassed them, and that the opinions prevailing upon that subject in older communities could not be expected to obtain in the wilder regions.

"In Arizona, the reader should know, all the officers of the law were Americans. In New Mexico, on the contrary, they were almost without exception Mexicans, and the legal practice was entirely different from our own, as were the usages and customs of various kinds. For example, one could go before one of those Rio Grande alcaldes in Socorro, San Antonio, or Sabinal, and wear just what clothes he pleased, or not wear any if he didn't please; it would be all right. He might wear a hat, or go in his shirt sleeves, or go barefoot, or roll himself a cigarito, and it would be all right. But let him dare enter with spurs, and the ushers would throw him out, and it was a matter of great good luck if he did not find himself in the calaboose to boot for contempt of court.

"'Call the first witness; call Charles O. Brown.'

"Mr. Charles O. Brown, under oath, stated his name, residence, and occupation, and was then directed to show to the judge and jury how the prisoner—Duffield—had drawn his revolver the day previous.

"'Well, jedge, the way he drawed her was jest this.' And suiting the action to the word, Mr. Charles O. Brown, the main witness for the prosecution, drew a six-shooter, fully cocked, from the holster on his hip. There was a ripple of laughter in the courtroom, as every one saw at once the absurdity of trying to hold one man responsible for the misdemeanor of which the whole community was guilty, and in a few minutes the matter was *nolle prossed*.

"I will end up the career of the marshal in this chapter, as we shall have no further cause to introduce him in these pages. His courage was soon put to the severest sort of a test when a party of desperadoes from Sonora, who had been plundering in their own country until driven across the line, began their operations in Arizona. At the dead of night they entered Duffield's house, and made a most desperate assault upon him while asleep in his bed. By some sort of luck the blow aimed with a hatchet failed to hit him on head or neck—probably his assailants were too drunk to see what they were doing—and chopped out a frightful gash in the shoulder, which would have killed the general run of men. Duffield, as has been shown, was a giant in strength, and awakened by the pain, and at once realizing what had happened, he sprang from his couch and grappled with the nearest of the gang of burglars, choked him, and

proceeded to use him as a weapon with which to sweep out of the premises the rest of the party, who, seeing that the household had been alarmed, made good their escape.

"Duffield was too much exhausted from loss of blood to retain his hold upon the rascal whom he had first seized, so that Justice did not succeed in laying her hands upon any of the band. When Duffield recovered sufficiently to be able to reappear on the streets, he did not seem to be the same man. He no longer took pleasure in rows, but acted like one who had had enough of battles, and was willing to live at peace with his fellow-men. Unfortunately, if one acquire the reputation of being a 'bad man' on the frontier, it will stick to him for a generation after he has sown his wild oats, and is trying to bring about a rotation of crops.

"Duffield was killed at Tombstone ten years since (about the year 1880 or 1881), not far from the Contention Mine, by a young man named Holmes, who had taken up a claim in which Duffield asserted an interest. The moment he saw Duffield approaching he levelled a shot-gun upon him, and warned him not to move a foot, and upon Duffield's still advancing a few paces, he filled him full of buckshot, and the coroner's jury, without leaving their seats, returned a verdict of justifiable homicide, because the old, old Duffield, who was 'on the shoot,' was still remembered, and the new man, who had turned over a new leaf and was trying to lead a new life, was still a stranger in the land.

"Peace to his ashes!"

In his message to the Third Legislative Assembly, Governor McCormick refers to the census taken in the preceding April, and May, say-

ing that it showed a considerable increase in the population of the Territory, and, "our advance in material prosperity, if not rapid, is steady, and, I believe, upon a substantial basis. Labor finds abundant employment and remunerating reward; social order prevails among our people, and the laws are obeyed with promptness and good feeling."

Under the head of Finance, the Governor made the following statement and recommendation:

"The total Territorial indebtedness, as audited to this time, amounts to twenty-one thousand and fifty-one dollars and forty-one cents, and there is a balance of two hundred and forty-nine dollars and fifty cents in the treasury to the credit of the general fund. Of this indebtedness, fifteen thousand, five hundred and ninety dollars are payable in gold, being the amount of bonds, (and interest on the same to January 4, 1867), issued under the act of the First Assembly, approved November 9, 1864, and entitled 'An Act to Provide for the Contingent Expenses of the Territorial Government.' In view of the fact that, until the present year, but two of the counties were fully organized, and that now, although all contribute to the revenue, the total receipts, owing to the limited amount of taxable property in the Territory are small, this is not more than a reasonable debt. Compared with that of neighboring Territories, containing a larger population and far better sources of revenue, it is insignificant, and will be complained of only by those singular individuals who expect the wheels of government to move without cost.

"Still, I would advise that no expenditure of the Territorial funds, however earnestly it may be asked for, or necessary it may seem, be authorized by your honorable bodies without the most careful consideration; and, if you can impress upon the counties the importance of economy in their affairs, it will be well to do so. In the matter of promptly and thoroughly collecting the revenue, they should be urged to increased vigilance, not only for their own benefit, but for that of the Territory at large.

"Some seven thousand dollars of the gold bonds before referred to, will become due in a little more than a year from this date, and although another legislature may meet before that time, it is not too early to make provision to insure their payment and thus to sustain the Territorial credit.

"There is a balance of about five hundred dollars in the Treasury from the special fund created by the sale of Territorial mining claims, which I would suggest be assigned to the general fund, and that all further receipts from such sales be so disposed of.

"The Treasury Department having made the Territory an Internal Revenue District, and appointed an assessor and collector, we may soon expect to be called upon to contribute directly to the national revenue. I had hoped, in view of our comparatively small population, and the drawbacks with which we have to contend, that we should escape other than Territorial taxation for the present. But it becomes us, as loyal citizens of the great Republic, cheerfully to do our part, however humble it may be, towards cancelling the sacred debt incurred in preserving the national life."

In the message the Governor mentions the fact that a marked degree of improvement is shown in the mining industry. He said:

"If there is less excitement over our mining interests, there is more confidence in their excellence, and a strengthened belief that their development will surprise the world. Ten quartz mills will have been erected in this county alone before the close of the present year. Those already in operation afford a gratifying evidence of the value of the gold ores, and, as the lodes are sunk upon, they show permanence and size. The appearance of sulphurets and refractory elements, at a certain depth in some, may involve the necessity of more elaborate machinery, but no obstacles will, I think, be sufficient to baffle the enterprise of our miners who, depending more upon their own energies and capital than upon help from abroad, are determined to know no such word as fail.

"The rare advantages of wood, water, and climate are more than sufficient to offset the present cost of living, and the heavy expense of transporting machinery here, and, the Indians properly subdued, I believe there will be few localities upon the Pacific Coast where quartz mining may be so economically, agreeably and profitably pursued.

"Those of the silver mines below the Gila and upon the Colorado, that are judiciously worked, with scarcely an exception, show great wealth, and fully maintain the traditional reports of the metallic opulence of the country.

"The considerable capital now devoted to the development of the copper lodes upon the Colorado and Williams' Fork is but an earnest of

that which this important work will soon command. The uniform richness of the ore, the quantity of the same, and the facilities for its extraction and shipment, combine to make the mines among the most desirable of the kind upon the continent."

He thus refers to the mining law passed by Congress:

"The Act of Congress to legalize the occupation of mineral lands, and to extend the rights of pre-emption thereto, adopted at the late session, preserves all that is best in the system created by miners themselves, and saves all vested rights under that system, while offering a permanent title to all who desire it at a merely nominal cost. It is a more equitable and practicable measure than the people of the mineral districts had supposed Congress would adopt, and credit for its liberal and acceptable provisions is largely due to the influence of the representatives from the Pacific Coast, including our own intelligent delegate. While it is not without defects, as a basis of legislation it is highly promising, and must lead to stability and method, and so inspire increased confidence and zeal in quartz mining."

According to the Governor, after much persistent effort, the government was induced to authorize, in 1864, the establishment of several important mail routes, but, up to the date of his message, the service had been irregularly performed. The first contractor, whose control expired June 30th, 1866, so deliberately disregarded the requirements of his contract and the convenience of the people, that the service was a mere burlesque and provocation.

As this history progresses it will be seen that many other contractors and servants of the government were equally derelict in the discharge of their duties, and, as a consequence of this neglect on the part of the mail contractors, Arizona probably suffered more than any other Territory for want of proper mail facilities.

The Governor, in reference to this subject, very truthfully remarked:

"The hostile savage is scarcely more inimical to the progress and prosperity of a new country than the mail contractor who, by his faithlessness, interrupts the business and social intercourse of the people, and deprives them of their only means of communication with the outer world."

In reference to new mail routes, he said:

"The route from Great Salt Lake City via St. George to Hardyville, let under the new contracts, is highly advantageous to northern and central Arizona, on account of the eastern connection, by which letters from New York and Washington are received at Prescott in thirty days, a much shorter time than by San Francisco.

"The extension of mail service from Prescott to the Rio Grande is much needed, not only in view of our relations with New Mexico, but for the most direct and speedy communication with the Atlantic states. The route is practicable at all seasons, despite all reports to the contrary, and in connection with that from San Bernardino to Prescott, would form one of the shortest from the Pacific to the Rio Grande. The citizens of La Paz, our largest town upon the Colorado, complain with reason that while

they live upon the shortest, and one of the best highways from California to Prescott, they are left without mail facilities, except by a circuitous route. The people of Pima County ardently desire the re-establishment of service upon the old Southern or Butterfield route, acknowledged to be one of the best across the continent, and service on the route from Arizona City to La Paz is called for."

The Governor noted the fact that there was not a stage coach running in Arizona, although the Territory had been organized for nearly three years.

In reference to the Apache he said:

"The conflict with the Apache continues, and will continue, I fear, until we are supplied with troops better suited to fight him, or the product of our mines is such as to attract a large population, and so literally to crowd him from the scene of action. I am satisfied that the Department commander (Major-General McDowell), who, from actual observation, has a good knowledge of the Territory, is sincerely anxious to afford us every assistance in his power, and that the commander of the District (Colonel Lovell), is actuated by the same spirit. In a recent letter the former says:

" 'You have in Arizona the bulk of the troops which the Government has placed at my disposal. If the number is insufficient, and the kind not such as you may think the most suited to success, it is a matter over which I have no control.' "

The Governor said that Delegate Goodwin had proposed an amendment to the new army bill, whereby the companies of Arizona Volunteers

already enrolled, should be maintained and the number increased to a full regiment, but that Congress refused to legislate for a particular case, and, consequently, the companies were disbanded.

The Congressional Globe does not show any attempt on the part of Arizona's Delegate to engraft such an amendment upon the army bill. If done at all, it was proposed by him to the committee, which turned it down. The only case where Delegate Goodwin appears in the Congressional Globe is when he delivered the following speech in Congress opposing the taking of Pah-Ute County from Arizona. He did not propose any amendment to this bill by which it should be left, not only to the State of Nevada to accept the grant, but to a vote of the people of Pah-Ute County upon the question of such annexation. Delegate Goodwin's speech is as follows:

"I hope the amendment of the gentleman from Maine will prevail. The bill, as amended, would provide for taking a portion of Utah and annexing it to Nevada, striking out so much of the Senate bill as provided for the annexation of any portion of Arizona.

"This bill came to the House of Representatives from the Senate. While it was pending before the Committee on Territories in the Senate, no hearing was had on the merits of this question. With my consent no hearing was had at that time, though I was notified that the bill was pending, for the reason that I desired to hear from my constituents in relation to the matter. When the bill came before the Committee of Territories of the House, a full hearing was had on the merits of the question, and the

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"I can only state very briefly,
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the Territory of Arizona is that
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Prescott, which is the capital of
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"Now, if the—

is separated from that state by a portion of the great desert, which presents an almost impassable barrier. It is so perfectly barren that it is called 'Death Valley.' That forms the boundary between the two.

"There is another objection to this bill. It establishes a new precedent in legislation. While the consent of the State of Nevada is made a condition precedent to the annexation of this territory, no consent is required on the part of the people of Arizona. They are obliged to take upon themselves the burden of a state government without their consent. I would be perfectly willing that this bill should pass if the people of that portion of Arizona can be permitted to vote on this question and decide it by a majority. And I propose to offer, if this amendment should not be adopted and the bill should pass in its present shape, an amendment of that kind. And sir, I know, and gentlemen who advocate this bill know, that if the bill does pass in this shape, there will be an almost unanimous vote of the people of that portion of the Territory against it.

"It may be urged that there are but few people within this territory. Last year there were fifteen hundred people at least upon the Muddy River, and its branches, and I am informed by the Governor of Arizona, Mr. McCormick, that there are now nearly twenty-five hundred people within this territory, and that by the middle of this summer there will be five thousand.

"The burden of a state government is sought to be imposed upon these people without asking in any way their consent, and I believe that is establishing a wrong precedent."

Delegate Goodwin, however, proposed no amendment to the bill when it was up for final consideration.

The Third Territorial Legislative Assembly was organized by the election and appointment of the following officers:

COUNCIL.

President.....Mark Aldrich.
Secretary.....John M. Roundtree.
Assistant Secretary.....William Cory.
Translator and Interpreter.....
.....Octavius D. Gass.
Chaplain.....Charles M. Blake.
Sergeant-at-Arms.....A. John Moore.
Doorkeeper.....Julius Sanders.
Messenger.....Neri F. Osborn.
Watchman.....Thomas W. Simmons.
Engrossing Clerk.....Lafayette Place.
Enrolling Clerk.....Joseph C. Lennon.

HOUSE OF REPRESENTATIVES.

Speaker.....Granville H. Oury.
Chief Clerk.....*James S. Giles.
Assistant Clerk.....*Ralph Shelton.
Translator and Interpreter.....
.....Octavius D. Gass.
Chaplain.....Charles M. Blake.
Sergeant-at-arms.....Thomas Hodges.
Doorkeeper.....Andrew H. Elliott.
Messenger.....John W. Osborn.
Watchman.....*Daniel M. Bornman.
Engrossing Clerk.....Ralph Shelton.
Enrolling Clerk.....Henry Clifton.

*Mr. Shelton resigned October 9th, when Henry A. Bigelow was chosen Assistant Clerk. Mr. Giles resigned October 27th, when Mr. Bigelow was chosen Chief Clerk, and William H. Ford, Assistant. Mr. Bornman resigned October 16th, when Francis M. Copeland was chosen Watchman.

It will be seen that there were no other officers or attachés of the Legislature other than those authorized by the Federal law.

Among the laws passed by this Legislature was one creating the office of District Attorney.

One repealing the act creating the office of Attorney-General for the Territory.

One creating the office of Territorial Auditor, to which office James Grant was appointed, and repealing that portion of the Howell Code creating a Board of Territorial Auditors. The salary allowed the Territorial Auditor was five hundred dollars per year, and one hundred and fifty dollars for office and incidental expenses.

One authorizing the Auditor of the Territory to issue warrants on the Treasurer of the Territory in favor of all persons whom the Legislative Assembly of the Territory might direct. These warrants were receivable for all amounts due the Territory. After they were issued and presented to the Treasurer for payment, they bore ten per cent per annum interest.

At this session the salary of the Territorial Treasurer was fixed at the sum of five hundred dollars per annum, and one hundred and fifty dollars per annum to cover his incidental expenses.

The terms of the District Courts in the counties of Pima, Mohave and Pah-Ute were fixed as follows:

"The District Courts in the counties of Pima and Mohave, on the first Monday in January and the first Monday in June; and the county of Pah-Ute on the third Monday in June."

Title V of Chapter 50 of the Howell Code, with reference to the location of mining claims for the Territory of Arizona, which reads as follows:

"It shall be the duty of persons who may discover and claim mining rights or mineral lands, at the same time that they may define the boundary of their claim or claims to any lode or mine as required by the provisions of this chapter, to lay off and define the boundaries of one pertenencia as required by the provisions of this chapter, adjoining their claim or claims, which shall be the property of the Territory of Arizona. And at the same time that they present their notice of claim or claims to be recorded by the recorder of the mining district, they shall also present to such recorder the claim of said Territory. And if such discoverers and claimants shall neglect or refuse to present to such recorder the claim of said Territory as aforesaid, they shall forever forfeit all claim to the mine or ledge so discovered by them. Any recording officer recording the claim or claims of such discoveries and claimants, when the claim of said Territory is not filed therewith as aforesaid, shall be subject to all the penalties provided in section 26 of this chapter. Such claim shall be recorded as provided in this chapter for like claims, but no work shall be required to be done thereon, nor shall it be considered to be abandoned so long as it is the property of the Territory, and if sold, the time within which the purchaser shall be required to work said claim shall commence from the day of sale, except when the time is suspended as before provided. Every clerk of the probate court, as soon as he records the said claim, shall send a copy of his record to the treasurer of the Territory, and no fees shall be charged by any recording officer in any matter relating to said claim. And the ter-

ritorial treasurer may at any time after six months from the day he receives such record as aforesaid, and at such time and place as in his opinion will be most for the interest of the Territory, cause said claim to be sold at auction to the highest bidder, but every such sale shall be at least twice advertised in the Territorial newspaper, and be held at his office or the office of the clerk of the probate court, or recorder of the mining district of the county where the claim is situated. And the treasurer is authorized to make a deed of the same to the purchaser in the name of the Territory. And the amount received by him shall be added by him to any fund now or hereafter provided for the protection of the people of the Territory of Arizona against hostile Indians, and be expended as provided by law. And after all expenses incurred by the Territorial authorities for the purpose of destroying or bringing into subjection all hostile Indian tribes in this Territory are liquidated, then all remaining or accruing funds out of all or any sales of Territorial mining claims, shall be applied as a sinking fund for school purposes," was repealed by the Third Legislature, which provided further that all mining claims which had theretofore been located for the Territory, and which had not been sold, should be considered abandoned and subject to relocation.

It will be noticed that in the Howell Code a mining claim is described as a pertenencia. That code defined a pertenencia as a superficial area of two hundred yards square, to be measured so as to include the principal veins or mineral deposits, always having reference to and following the dip of the vein so far as it could

to incorporate themselves for
gaging in any lawful enterpri
suit, or occupation, they may
ner provided in this act."

This law defined fully the
corporations should be formed
specifically their powers and h
might be amended. Copies of t
corporation were to be filed wi
corder of the county in which
located, and also with the Secre
ritory. Corporations formed
Territory, whose property was
the Territory, were required t
their articles of incorporation
tary of the Territory under pena
all their property and rights w
tory.

This legislature also passed a
roads and highways, authorizing
of counties to levy a special tax
of highways. Section six of thi

"The Board of Supervisors sl
to levy a road tax [illegible]"

the incorporated towns or cities of this Territory; and, *provided,* that all able-bodied men shall pay, in addition to the road tax levied by the Board of Supervisors, the sum of six dollars each, or, at their option, two days' work upon the road under the direction of the road overseer."

These highways were to be built in each county by the supervisors of the county, upon petition of residents asking for a county road.

The road overseers were required to collect the road tax and to make an affidavit of the amount collected and the amount delinquent. The roads were to be built under the direction of road overseers.

Exactly what the Legislature meant by "levy a road tax on all able-bodied men, which shall not exceed five cents on every one hundred dollars, for road purposes," does not appear.

This Legislature passed an act authorizing the Board of Supervisors of Yavapai County to erect a jail and such other public building as in the judgment of said board might be necessary; also to purchase the necessary ground in the town of Prescott upon which to erect said buildings. For this purpose they were allowed to levy a special tax of fifty cents upon each one hundred dollars value of the taxable property in the county of Yavapai, and also a poll tax of one dollar. From this it will be seen that Yavapai County was the first county to undertake the building of county buildings, and a jail.

The Third Legislature passed an act exempting all arms and accoutrements owned and kept by any person or persons for private use, and all wearing apparel of any person or family,

from taxation. It would seem that by this law every citizen was authorized to arm himself for self-protection.

Among the resolutions adopted by the Third Legislature was one authorizing the Attorney-General to settle with William S. Oury. From this resolution it would appear that Mr. Oury was trustee for one hundred and five muskets, and eighteen thousand rounds of ammunition belonging to the Territory, which were delivered to him for the purpose of equipping a company in Pima County for service in the Arizona Volunteers. Mr. Oury, after correspondence with the Governor of Sonora, and after receiving a promise from him that he would supply the men if arms were given him, handed the arms and ammunition over to the Governor of Sonora, but the company of Sonoranians never made its appearance in Arizona to battle against the Apaches, and in all probability the arms and ammunition were used by the Governor of Sonora against the French.

M. H. Calderwood, who was a captain in the California Volunteers, and, up to the time of his death a few years ago, a resident of the Salt River Valley, made this statement:

"When I was in command of Calabasas in 1865, I was out on the parade ground one evening, when a Mexican gentleman rode up to me and asked me for permission to camp in the 'potrero' near by. I granted the desired permission and the next morning when the officers of the post awoke, they beheld before them, encamped on the plain—Calabasas was built on an elevated plateau—the whole army of Governor Ignacio Pesquiera of Sonora, including the ser-

vants, property, and everything else belonging to the Governor. Upon inquiry it was found that he had fled across the international border, hotly pursued by Maximilian's French troops. He had reached the border line of Nogales just in time to escape destruction. The French troops had been re-enforced by what was called the Gandara faction of Sonora, (to which reference has heretofore been made), which was yet very strong, although they had been overthrown and routed by Pesquiera some years before. Shortly after this incident the French troops were withdrawn from Sonora, Pesquiera then returning with his forces and once more assuming control of affairs."

The inference is, and, in fact, Captain Calderwood told the writer, that the American troops were in hearty sympathy with Juarez and the revolutionists, and those opposed to Maximilian and his empire, and that they supplied, as far as possible, arms and munitions of war to the revolutionists, so it is only fair to presume that when Pesquiera crossed again into Mexico, he carried with him sufficient arms and ammunition to equip an army strong enough to drive out the French and their allies, for it was only a short time thereafter that Pesquiera was again in control in Sonora.

The Second Legislature of Arizona had passed a resolution directing the Attorney-General to collect one thousand and ninety-five dollars from Mr. Oury as the value of these muskets and ammunition. Mr. Oury objected to the price, saying that the arms were old and obsolete, and Mr. Bashford, in his report to the Governor, said that he was not directed or authorized to bring

suit against Mr. Oury, or to compromise the matter. Thereupon the Third Legislative Assembly passed the following resolution:

"Be It Resolved by the Legislative Assembly of the Territory of Arizona:

"That the Attorney-General of the Territory of Arizona is hereby authorized to settle with William S. Oury for the one hundred and five muskets and eighteen thousand rounds of ammunition belonging to the Territory, and which were heretofore delivered to said Oury, and which remain unaccounted for by him, upon such terms as shall be deemed just and equitable by said Attorney-General; and in case the same cannot be so arranged, and said claim adjusted, the Attorney-General is hereby instructed to commence suit therefor."

The Third Legislature adopted a concurrent resolution thanking the Arizona Volunteers for the services rendered the Territory, which resolution was worded as follows:

"WHEREAS, The officers and men of the First Regiment of Arizona Volunteers have, by the valuable and efficient service they rendered this Territory, in hunting and destroying the wily and implacable Apache during the past year, earned our warmest gratitude and highest praise; and

"WHEREAS, They have inflicted greater punishment upon the Apache than all other troops in the Territory, besides ofttimes pursuing him barefoot and upon half rations, to his fastnesses, cheerfully enduring the hardships encountered on mountain and desert; and

"WHEREAS, The financial condition of our young Territory will not admit of our offering a

more substantial reward, and expression of our obligations to them, Therefore,

"Be It Resolved, by the House of Representatives, the Council concurring, that the thanks of this Legislative Assembly be and are hereby tendered to the brave and efficient officers and men composing the late First Regiment of Arizona Volunteers."

This Legislature also adopted a concurrent resolution thanking Admiral Robert Rogers, commander of the steamer "Esmeralda," and Captain William Gilmore, Agent of the Pacific and Colorado Navigation Company, for their successful accomplishment of the navigation of the Colorado River to Callville.

It also passed a concurrent resolution thanking the Reverend Charles M. Blake for the presentation of a Bible, which resolution reads as follows:

"RESOLVED, By the Council, the House of Representatives concurring, that the thanks of this Legislative Assembly be tendered to Rev. Charles M. Blake, for the copy of the Holy Bible this day presented through him by the American Bible Society, and that it be deposited in the Territorial Library after the close of the session."

Evidently Bibles were scarce at this time in Arizona, and religious teaching sadly needed by the solons.

Among the memorials passed by this Legislature were the following:

Asking that the Act of Congress, approved May 5th, 1866, setting off to the State of Nevada all that part of the Territory of Arizona west

of the thirty-seventh degree of longitude west from Washington, and west of the Colorado River, be repealed. This memorial was in words and figures as follows:

"To the Senate and House of Representatives of the United States, in Congress Assembled:

"Your memorialists, the Legislative Assembly of the Territory of Arizona, respectfully represent that, by an act approved May 5th, 1866, Congress added to, and made a part of the State of Nevada, 'all that extent of territory lying within the following boundaries, to-wit: Commencing on the thirty-seventh degree of north latitude, at the thirty-seventh degree of longitude west from Washington, and running thence on said degree of longitude to the middle of the river Colorado of the West, thence down the middle of said river to the eastern boundary of California; thence northwesterly along said boundary of California to the thirty-seventh degree of north latitude, and east along said degree of latitude to the point of beginning'; *Provided,* however, that the territory mentioned should not become a part of the State of Nevada until said State should, through its Legislature, consent thereto.

"Your memorialists further represent that to the best of their knowledge and belief, this territory has not yet been accepted by the State of Nevada, in the terms and manner required by the foregoing provision, and that the matter is yet wholly within the control of Congress, and they earnestly pray that the act by which it is proposed to take from Arizona this important

part of her territory, be repealed by your honorable bodies.

"The area in question, which embraces the chief part of Pah-Ute County, and all of Mohave County west of the Colorado River, holds a natural and convenient relation to the Territory of Arizona, and a most unnatural and inconvenient one to the State of Nevada. It is the watershed of the Colorado River into which all the principal streams of Arizona empty, and which has been justly styled the Mississippi of the Pacific. By this great river the Territory receives the most of its supplies, and lately it has become the channel of a large part of the trade of San Francisco with Utah and Montana. Moreover, while it is a comparatively short and easy journey from any part of the territory in question to the county seats or the capital of Arizona, it is a tedious and perilous one of three hundred miles to the nearest county seat in Nevada, and to reach the capital of that State, by reason of intervening deserts, including the famous 'Death Valley,' over which travel is often impossible and always extremely hazardous, it is necessary to go around by Los Angeles and San Francisco, a distance of some fifteen hundred miles, and a most circuitous way. It is the unanimous wish of the inhabitants of Pah-Ute and Mohave Counties, and, indeed, of all the constituents of your memorialists, that the territory in question should remain within Arizona; for the convenient transaction of official and other business, and on every account they greatly desire it. And on their behalf and in accordance with what appears to be no more than a matter of simple justice and reason, your memorialists earnestly

request your honorable bodies to set aside the action by which it is proposed to cede it to Nevada, and as in duty bound your petitioners will ever pray.

"RESOLVED, That our Delegate in Congress, Hon. John N. Goodwin, is hereby requested to spare no effort to secure a favorable response to this memorial."

Congress was memorialized for the establishment of new mail routes as follows:

"To the Senate and House of Representatives of the United States, in Congress Assembled:

"Your memorialists, the Legislative Assembly of the Territory of Arizona, respectfully represent, that in accordance with a concurrent resolution, of which the following is a copy:

" 'RESOLVED, By the House of Representatives, the council concurring, that a committee of three from the House and two from the Council be appointed as a special committee to inquire into, examine witnesses, and take evidence under oath, if necessary, as to the necessity and practicability of memorializing Congress as to establishing other mail routes and putting services on some of those already established, and especially with reference to procuring service from San Bernardino, California, to Wickenburg via La Paz, connecting with that already established from Tubac and Tucson to Prescott; also from La Paz to Arizona City in continuation of that from Mohave to La Paz.'

"A committee was appointed who have examined witnesses and received evidence regarding the necessity and practicability of additional

mail service to the Territory. Said Committee report that a large and growing commercial population on the Colorado River demands that postal service for the accommodation of the various towns upon that river as well as for convenience of the interior country be at once established upon the route (created by Act of Congress approved June 30, 1864), from Los Angeles via La Paz to Wickenburg, connecting at the latter place with the route from Tubac and Tucson to Prescott, now in operation. This service will prove highly advantageous to the southern and western parts of the Territory. It is also important for the interests of a considerable and increasing mining population that Congress should immediately declare a postal route from Prescott to Lynx Creek, Big Bug, Woolsey's Ranch and Turkey Creek, and put service thereon.

"Service is also needed on the established routes from La Paz via Eureka to Arizona City, and from Prescott via Fort Wingate to Albuquerque on the Rio Grande, and from Fort Yuma via Tucson, to Mesilla. It is also recommended that the route from Wickenburg to Prescott be so changed as to run by Walnut Grove, and that a route be established from Callville to Pahranagat.

"For any further information than that now in possession of Congress and the Post Office Department regarding these several routes, reference is respectfully made to Gird's official map of the Territory of Arizona.

"RESOLVED, That to promote the object of this memorial, the Secretary of the Territory is herewith requested to transmit a copy of the same

to our Delegate in Congress, Hon. John N. Goodwin, and also a copy to the Postmaster-General."

Among the laws passed by the Thirty-Ninth Congress affecting Arizona, was one establishing a land office in Arizona, approved March 2nd, 1867, but this law was not enforced, and no appointments were made under it, probably owing to the quarrel between Congress and the President, until the President was succeeded by President Grant in 1869, for the land office in Arizona was not established until 1870.

The appropriation bill included the first of forty installments to be expended under the direction of the Secretary of the Interior for appropriations to Indians, being an amount equal to twenty dollars per capita, for eight hundred persons, as per the second paragraph of the treaty of October 17th, 1865 (probably a treaty made with the Mohave-Apaches), being sixteen thousand dollars for the fiscal year ending June 30th, 1867. For the transportation of goods, provisions, etc., purchased for the Apache Indians for the fiscal year ending June 30th, 1867, there was appropriated the sum of three thousand, five hundred dollars.

Twenty thousand dollars was appropriated for the general incidental expenses of the Indian Service in the Territory of Arizona, to be used in the purchase of presents of goods, agricultural implements, and other useful articles, and to assist the Indians to locate in permanent abodes and sustain themselves by the pursuits of civilized life. This amount was to be expended under the direction of the Secretary of the Interior.

Congress passed a law granting lands to aid in the construction of a railroad and telegraph lines from the States of Missouri and Arkansas, to the Pacific coast. This law was to aid the Atlantic & Pacific Railroad in the construction of its projected transcontinental line. The law first created the corporation; among the incorporators, of whom there were some one hundred and seventy-five, appeared the names of some of the most prominent men of that time, and also the names of some of the men then prominent in Arizona, or who afterwards became so, such men being J. C. Fremont, A. P. K. Safford, then a resident of Nevada, both of whom afterwards became governors of Arizona. King S. Woolsey, and Coles Bashford, of Arizona, were among the incorporators, as was also Henry D. Cooke, a brother and a partner of Jay Cooke, a great financier of that day and age.

This law prescribed the general route of the proposed railroad, the amount of its capital stock, the time of the first meeting of its directors or commissioners, and, in general, laid out the plans for the organization and conduct of the corporation. It granted to the corporation the right to take from the public lands adjacent to the line of said road, such earth, stone, timber, etc., for the construction of the road, and gave it a right of way of one hundred feet in width on each side of the railroad where it should pass through the public domain, and all the necessary ground for station, buildings, workshops, depots, machine-shops, switches, sidetracks, turntables, and water stations, and exempted the right of way from taxation within the Territories of the United States.

The law also gave to the corporation every alternate section of public land, not mineral, designated by odd numbers, to the amount of twenty alternate sections per mile on each side of said railroad line through the Territories of the United States, and ten alternate sections of land per mile on each side of said railroad through the different states, wherever the United States had full title.

The law provided further that when the road had constructed twenty-five consecutive miles, three commissioners should be appointed by the President of the United States, and if they should report that twenty-five consecutive miles of said road and telegraph line had been constructed in a good, substantial, and workmanlike manner, patents of land should be issued to said company conveying the land grants made to it by the United States, and this method was to be pursued until the entire road should be built.

The law further provided that the Atlantic & Pacific Railroad Company should commence work within two years after the approval of the act of the President, and should complete not less than forty miles per year, after the second year, and it further provided that the main line of the whole road should be constructed, equipped, furnished and completed by July 4th, 1878.

Any citizen of the United States could subscribe to the stock of the road. The road did not take out patents for their land for many years after the road was built in order to avoid taxes. It paid no taxes on the road until it was consolidated with the Atchison, Topeka and Santa Fe Railroad Company.

On the 22nd day of January, 1867, a law was approved by the President, which provided that the net proceeds of the internal revenue of certain territories, among which was Arizona, for the fiscal years ending on the 30th day of June, 1866, the 30th day of June, 1867, and the 30th day of June, 1868, should be set aside and appropriated for the purpose of erecting, under the direction of the Secretary of the Interior, penitentiary buildings in the said Territories, the Legislatures of such Territories to designate the location of such penitentiaries, subject to the approval of the Secretary of the Interior. This law further provided that the amount so appropriated should not exceed the sum of forty thousand dollars.

An act was also passed by Congress which provided that after its passage there should be no denial of the elective franchise in any of the Territories of the United States, to any citizen thereof, on account of race, color or previous condition of servitude, and it further provided that all acts or parts of acts, either of Congress or the Legislative Assemblies of the Territories, which were inconsistent with its provisions, should be null and void. This act was signed by Schuyler Colfax, Speaker of the House of Representatives, and by LaFayette S. Foster, President of the Senate, pro tem., and was endorsed by the President: "Received on the 14th of January, 1867."

The Department of State made the following note in regard to this act: "The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the House of Congress

in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval."

On January 22d, 1866, a bill was introduced into the Senate by Pomeroy of Kansas, making appropriations for building wagon roads and for improving the navigation of the Colorado River. It was referred to the committee on public lands, and never reported out.

A bill was also introduced prohibiting special legislation concerning divorces, etc. This bill passed the House, but failed in the Senate.

By an act approved May 5th, 1866, Congress added to and made a part of the State of Nevada, all of Pah-Ute County, and a part of Mohave County of the Territory of Arizona. The Third Legislature of the Territory of Arizona presented a memorial to the Thirty-ninth Congress in regard to this, which is given in full on a preceding page.

This was all that the Thirty-ninth Congress of the United States did for, or against, the best interests of the Territory of Arizona.

The annexation of Pah-Ute County to the State of Nevada by the Thirty-ninth Congress, was not the only attempt, though the only successful one, to deprive Arizona of parts of her territory. In 1865 Utah tried to get a slice of northern Arizona, claiming that the natural boundary formed by the Grand Canyon cut off that part of Arizona north of the Grand Canyon from easy intercourse with the balance of the Territory. This attempt, however, was not successful, and Arizona still retains possession of a large amount of desirable territory north of the Colorado River and the Grand Canyon, which,

however, has not been thoroughly explored or densely populated.

For several years the Territory of Arizona and the State of California carried on a dispute as to which one the land upon which the city of Yuma was located belonged. In a preceding volume an account of the location of a survey of the town is given, and it will be remembered that this survey was filed in the proper Government office at San Diego, California. This led to the dispute as to whether the Territory of Arizona or the State of California owned this particular piece of land. Bancroft, in his History of Arizona & New Mexico, speaking of the matter, says: "It had doubtless been the original intention that the Colorado River should be the boundary between Arizona and California, but owing to a peculiar bend of the river, the lines as correctly surveyed from the Gila junction towards San Diego, left a small area south and west of the Colorado opposite Fort Yuma, technically in California. On this area was a considerable amount of desirable property, including the Ferry Buildings."

"The Arizona Legislature indiscreetly asked Congress for the land in 1864–65; California took the hint; the property was desired by both Yuma and San Diego counties, and a spirited controversy was carried on from about 1867, each claimant ridiculing the other's absurd pretensions. In 1871 there seems to have been some kind of a decision at Washington in favor of Arizona, and after 1873 I find no trace of the dispute."

## CHIEF JUSTICE TURNER
## IRISHMAN'S READY WIT I
## SENTENCE—EXTRACT FROM
## BACKUS TO GRAND JURY.

As stated in the third volume Judge Howell held one term o County in the year 1864. He r tion, and was succeeded by J Backus of Michigan. Commer year 1866 all the courts of the their regular sessions. There is sible from any of the counties, a been able to ascertain, concerni It was a long time before the c District Courts and of the Supre Territory were kept in any metho manner. The only record we h 1865 is the charge by Chief Jus the grand jury at Prescott, from the following:

"Under the class of misdeme found in the code the followi which I invite your attention, against public peace and

than from the more heinous, by reason of their frequent occurrence. 'The little foxes spoil the vines.' And hence the necessity for a rigid scrutiny into their commission by the grand jury. Crime, like everything else in the world is progressive, and hurries its victim on with fearful rapidity until it reaches its final goal. The boy who stole the pin ended his career of infamy on the gallows. Had that first little offense been punished, the whole course of his life might have been changed. It is a merciful policy to punish the smaller offenses with certainty and promptness.

"I would also call your attention, gentlemen, to the provisions of Chapter 59 on 'Prohibition of Gambling.' This chapter of the code imposes a tax or license on gaming tables therein named. A violation of the various sections of this chapter is made a misdemeanor and punishable with fine and imprisonment in the county jail until the fine is paid. Gambling is one of the greatest evils with which any community can be inflicted. The greatest sufferer is perhaps the victim of the vice himself, and other vices are almost always associated with it and follow in its train. It seems to be the present policy of our legislation to tolerate the evil by the imposition of a license or tax, thus compelling it to contribute something to the revenue of the Territory. It is a mooted point with many great and good men whether the 'wages of iniquity' can be made to contribute even to the material prosperity of any community where one dollar going into the treasury does not take out five in the increased expenditure of the government for the protection of society from the results of the existence of any fault or vice.

"We, gentlemen, however, have nothing to do with the policy of this or kindred laws. It is enough for us to find them on the statute books—our duty is simply to faithfully and impartially administer the law as we find it. There is no more demoralizing influence operating on the citizens than law; a dead letter on the statute-book.

"There are two elements which enter into a crime, first, the intent, and, second, the execution of that intent in an act. To constitute a crime in law, there must combine the wrongful intent, and the wrongful act. All crime exists primarily in the mind. The law presumes the criminal intent for the wrongful act. The presumption of the law is that every person intends to do what he does, and intends the natural, necessary and probable consequences of his act. This presumption of law is open to be rebutted by evidence.

"It sometimes happens that a man intends one wrong and unintentionally does another—the intention and the act coalesce, and he is punishable for what he does. Therefore, if a man becomes voluntarily drunk, there is wrongful intent, and if he does a wrongful act, the intent to drink coalesces with the act done while drunk, and for this he is criminally liable.

"It is a doctrine laid down by all law writers that voluntary drunkenness furnishes no excuse for crime. Our jurisprudence deems voluntary drunkenness a *malum in se,* a wrong in itself, and hence its conclusion. Reason and common sense concur in saying that no man can be permitted to take advantage of his own wrong. If it be wrong to get drunk, then to make it an ex-

cuse for a crime would be taking advantage of, and receiving a benefit for his wrong.

"It is thought by some that an individual has a right to get drunk; that it is one of these personal and inalienable rights guaranteed by our free institutions to the citizen. No man has a moral or legal right to do wrong. The right to do right is full and complete. In civilized society every man must use his liberty so as not to abuse his neighbors. A different rule prevails among the savages who surround us, of which we have almost daily evidence.

"Greenleaf on Evidence says, that a man is not permitted to avail himself of the excuses of his own gross vice and misconduct, to shelter himself from the legal consequences of such crimes.

"This same legal author concurs with Bishop on 'Criminal Law' heretofore cited, that 'it is a settled principle that drunkenness is not an excuse for a criminal act committed while in a state of intoxication, and being its immediate result.'

"I am happy to know that this rule of common law that 'drunkenness shall not be an excuse for any crime,' was incorporated into the criminal code of Arizona by its First Legislative Assembly. It indicates clearly that its members were men of high tone, morality and intelligence, and had a clear idea of what the interests of the Territory demanded, and I have no doubt they truly reflected the sentiments of the people.

"This rule of the criminal law is violated in cases of affrays and quarrels growing out of intoxication when the parties use deadly weapons intended to murder or wound a particular

person, shoot at him, and by accident another individual is wounded or deprived of life. In this, and similar cases, the person unintentionally wounding or causing death is guilty the same as if he intended it.

"It will be your duty, gentlemen, if any cases are brought to your notice falling within the principle of the criminal law as above stated, to investigate the same, and if the facts disclosed by such investigation show that the criminal code of the Territory of Arizona has been violated, you ought, in the faithful and impartial discharge of your duty, refer the case or cases to a trial jury by indictment, in order that the wrong done to society may be atoned for and the majesty of the law vindicated in the certain punishment of the guilty parties.

"Gentlemen, we have passed from under the rule of the revolver and the bowie knife to that of law, order and good government. All acts of violence and wrongdoing must be promptly suppressed by the strong arm of government in certain and efficient enforcement of the laws, in order that the transition may be a realized fact, and the citizen feels secure in the protection of government to person and property.

"Violators of law and good order are more deterred by the certainty than the severity of punishment. Let it be understood that all infractions of law will promptly meet with condign punishment, and much will be done toward ridding the Territory of all acts of violence by those pests of society whose only vocation seems to be deliberate disregard of the laws of God and man, in the depredating, Apache-like, on the lives and property of others.

"The supremacy of law must be maintained at all hazards; all good citizens will unite to 'magnify the law and make it honorable,' by respecting the rights of others in the least as well as in the greatest matters, 'rendering to all their dues.' And they will always look to law for protection of all their rights, both of person and property. In the faithful and impartial administration of justice and speedy execution of the laws is found the security and prosperity of society, and the object of its organization attained. Government, the agent of society, undertakes to redress all wrongs done the citizen. Therefore, it is that all prosecutions are in the name and by the authority of government. All its power and influence is enlisted in the pursuit of the criminal and his punishment. As the power of government is greater than that of the individual citizen, so is the security greater for the protection of all his rights, and the speedy punishment of the aggressor. Then why should any citizen give up the right arm of government for his own puny arm? Why should anyone give up the greater for the less protection? Why should any citizen violate his compact with society and attempt to avenge his own wrongs, and thus become himself guilty of a crime?

"When society through its agent, government, violates its contract with the citizen, and fails to secure that protection which it guarantees, then the individual may be justified in becoming his own protector and defender. This is a dissolution of society, and anarchy and confusion take the place of law and order; the physically weak become a prey to the strong, and

might makes right. Another consequence may result from this failure on the part of government as has been witnessed in this country; vigilance committees taking the place of the regularly constituted authorities. 'Wickedness in high places, and a throne of iniquity which frameth mischief by a law,' cannot long be tolerated without dissolving the bonds of society—this is the lesson of history.

"The relative importance of the judicial department of government is seen in the fact that to it is committed the vast responsibility of the administration of the laws. It is the bulwark of our free institutions or it may be the sapper and miner of the foundation on which they rest, imperceptibly but surely undermining the corner stone of the temple of justice.

"No matter what may be the character of the laws enacted and placed on the statute-books by the Legislative Department, how much they may be calculated to promote the prosperity and happiness of the people, unless faithfully and impartially enforced by a pure, uncorrupted and uncorruptible judiciary, unless equal and exact justice is meted out alike to the high and the low, to the rich and the poor, those beneficent laws might as well not have received the sanction of the other departments of the Government which passed and approved them.

"If judges and jurors, 'grand' and 'trial,' fail in the discharge of their functions to raise the standard of honest men, the best system of government ever devised will be a failure so far as protection to the rights and liberties of the people are concerned. Public virtue and official integrity are not inconsistent with the principles

of political economy. But I shall not stop to point out in detail the influence which the administration and enforcement of the laws by all the departments of government on the basis of inflexible justice between man and man would exert in promoting the material prosperity and highest good of the people of this young and promising Territory. It is enough to say that the history of the world shows that material prosperity and happiness advance step by step with the advance of the people in virtue, intelligence and Christian civilization."

The courts were not troubled much with matters of property. Almost all the cases brought before them were for some violation of the criminal law.

Judge Howard was the leading lawyer at Prescott, and, of course, defended almost every person charged with crime. Among the rest was a man named Fagan, who was charged with assault with a deadly weapon. The circumstances of the case were as follows: Fagan was an all-round saloon man, practicing always on the outside of the bar; never refusing a drink when offered, and usually filled up pretty well with Jersey lightning. Following him at all times was his dog. One night in a saloon someone kicked his dog. Fagan at once drew a knife, and a general fight ensued. Fagan was convicted of assault with a deadly weapon, and he, with other prisoners, was arraigned for sentence, Fagan taking his seat the last in the prisoner's dock. When his name was called, he sidled up to his counsel, Judge Howard, and in a stage whisper said: "Judge, I'm proud of the defense you made for me. You certainly did all

that a man could do for another man, and I would ask you to do me one more favor, and that is, stand up there and take the sentence instead of me." This produced a laugh, in which the Judge joined, and he asked Judge Howard whether he would receive the sentence, or whether it should be given to the prisoner. Of course Fagan received the sentence, but his Irish wit caused him to receive a very light one.

As previously stated, Judge Howell held one term of court in Tucson, in May, 1864, and shortly afterwards he resigned. The probabilities are that his dreams of fortune in gold mining or merchandising, as set forth in the letters previously quoted, failed to realize, for he told Governor Goodwin that he would not act as Judge in a district where two out of every three people were barefooted, court was held in an adobe shack with an earth floor, and a drygoods box was used for a rostrum. Judge Howell was born in New York state in 1811, and died April 3d, 1870, in Michigan.

The next term of court was held in Tucson in January, 1866. The following extract from Judge Backus' charge to the grand jury, will give some idea of the state of affairs at that time in the Old Pueblo:

"Gentlemen: I am comparatively a stranger to you, and in a strange land, and have had comparatively few opportunities to closely observe either the country or become intimately acquainted with your people, but from the best opportunities I have had, and to some extent schooled by former experience in other parts, I must say that no other portion of our wide land is covered by a more genial sky, or affords

brighter hopes of material value in its physical composition than this, if her people are only true to themselves. And that no people I have ever visited in the same or similar circumstances present higher evidence of a pervading sense of the matters of civil order and obedience to law and good government than this with comparatively few, very few, exceptions, and none that I have ever seen who, as a body, unfortunately have been more grossly misrepresented by some of those who have assumed to speak for and of them. But this false reputation, if true to themselves, the people of Arizona can and must live down by the irresistible logic of facts.

"I am aware of no particular matter that it is now requisite or necessary for me to give you in charge, nor can I better epitomize your whole duty by a general charge than in the language of the oath that your foreman has just taken, and you through him, that is, that you 'diligently inquire into and true presentment make of all public offenses against the United States and of this Territory, committed or triable within this county, of which you have or can obtain local evidence. You shall present no person through malice, hatred or illwill, nor leave any unpresented through bias, fear or affection, or have any reward or promise or hope, but in all your presentments, you shall present the truth and nothing but the truth according to the best of your skill and understanding.' Under this oath, gentlemen, your intelligence will readily point out to you your duty. It would hardly be necessary or even proper for me further to enlarge upon this subject. Your deliberations are, of course, secret, and you are each of you

bound to keep secret the counsels of yourselves and each of your fellows, and whatever shall transpire in your deliberations in the jury-room and also those of the counsel of the Government and the Attorney-General, who alone may be with you to advise you and aid you in your deliberations."

# CHAPTER XI.

## EARLY SETTLEMENTS.

FIRST WHITE SETTLEMENT IN VERDE VALLEY—DR. J. M. SWETNAM'S STORY—MEMBERS OF PARTY—LOCATION OF SETTLEMENT—PRICES OF SUPPLIES—DIFFERENCES OF OPINION—THE CAMP DIVIDED—OPENING IRRIGATION DITCH—NEW ADDITION TO PARTY—INDIAN RAIDS—HARVESTING CROPS—REFUSAL OF U. S. QUARTERMASTER TO PURCHASE CROPS—FINALLY AGREES TO PURCHASE—MORE INDIAN RAIDS—MILITARY PROTECTION.

Soon after the organization of the Territorial Government and the settlement of Prescott, parties of hardy pioneers began to branch out and form settlements in other parts of the Territory. One of these parties, headed by James M. Swetnam, now a practicing physician and surgeon in Phoenix, made the first white settlement in the Verde Valley. I am indebted to Dr. Swetnam for the following account of this settlement:

"Early in January, 1865, a party consisting of James M. Swetnam, William L. Osborn, Clayton M. Ralston, Henry D. Morse, Jake Ramstein, Thos. Ruff, Ed. A. Boblett, James Parrish and James Robinson, left Prescott for the purpose of locating a colony for farming purposes in the valley of the Verde River, if a suitable place could be found. At that time the only ranch east of the immediate vicinity of Fort Whipple and Prescott, was that of Col. King S. Woolsey, which was at the upper end of the

Agua Fria Canyon, twenty-five miles east of Prescott, it being twenty-five miles further east to the Verde Valley.

"The party understood their liability to come in contact with the Apache Indians, but they were well armed, young and brave, and felt themselves equal to the task they had undertaken.

"The men were all on foot, taking along a single horse on which was packed their blankets, cooking utensils, and provisions for ten days. They followed the road to Woolsey's ranch, then the Chaves trail, to near the head of the Copper Canyon, at which point they left the old trail, following down the canyon by an Indian trail to the Verde River, which they reached on the third day at a point almost due east of Prescott, and fifty miles distant.

"At Prescott the ground was covered with snow, and the contrast presented by the valley, not only devoid of snow, but showing evidences of approaching spring, was very agreeable. But the one thing which was not so agreeable was a quantity of fresh Indian signs, and the sight of a couple of columns of blue smoke, lazily ascending at a distance of four or five miles.

"To reach the east side of the river, which was perhaps fifty feet wide and in the deepest part two feet, the party waded across and camped until toward evening, when they moved down the valley something over two miles to a point half a mile north of Clear Fork, where they camped for the night, placing a guard with relief every two hours.

"When morning came three men were left to guard camp, and the others, dividing into two

parties, started out to explore, one the region about Clear Fork, the other going north toward the next tributary called Beaver Creek.

"The party passing up Clear Fork had gone less than a mile when they came suddenly upon moccasin tracks, and shortly afterwards a camp fire, with evidence of recent flight.

"Moving cautiously to an elevation, several savages were seen scurrying away toward a rough canyon on the north, which they soon entered, passing out of sight.

"Three or four days were spent in the valley, the exploration extending from one mile below Clear Fork to ten miles above. But it was finally decided, although the amount of arable land was less than desired, to locate on the 'V'-shaped point between the Verde and Clear Fork on the north side of the latter. The reasons for this decision were:

"First: The facility and cheapness with which water could be brought from Clear Fork for irrigation.

"Second: Its advantageous position for defense in case of attack from savages, which they had every reason to expect.

"Third: The large amount of stone reduced to the proper shape for building—remains of an ancient edifice, perhaps a temple whose people had been driven from its use and enjoyment hundreds of years ago by the ancestors of these same savage Apaches.

"The location being determined upon, the party returned to Prescott, and began preparations for making a success of the enterprise. This was no easy task. Some of the best informed and oldest settlers about Fort Whipple

and Prescott tried to dissuade the 'Hot-headed boys,' as they styled the principal movers of the scheme, by every possible argument, insisting that the whole thing was impracticable; that it was impossible for a party even of three times the number to go into a region so far from assistance, and surrounded with such Indians as the Apaches, and succeed in holding possession of the valley. Others predicted that the whole party would either be killed or driven out inside of sixty days. But still the work of preparation went on.

"Tools for clearing the land and ditching were purchased. Plows, (cast mould boards), a very inferior utensil, but the best that could be got, were bought at exorbitant prices. Barley and wheat for seed cost $20.00 per cwt. This was the price in gold, greenbacks being worth seventy cents on the dollar. Corn for seed cost them $22.00 per cwt., and they had to go eighteen miles to the Hassayamp to get it, then pack it to Prescott on donkeys over an almost impassable trail. Provisions were also high. But all these difficulties were overcome, and early in February the party, numbering nineteen in all with supplies loaded into six wagons drawn by oxen, bade farewell to their friends, and set forth to try the experiment of making a permanent settlement in the midst of a region surrounded by the murderous Apaches.

"Four days later these adventurers reached and passed over the Verde River at the same point where the exploring party had crossed one month before, and pitched their camp. Here the first trouble came, not from Indians, but amongst themselves. Two parties had

already risen, and the rupture was becoming serious. It had been agreed to plant the permanent camp at Clear Fork, but there was one or two who had all the time favored the little valley where they were now camped. It was larger than the one originally selected, and was very attractive. Those who had favored this locality in the beginning had yielded to the majority for the time, but had been quietly and industriously at work among the new recruits, and now hoped to reconsider the first vote and make the settlement one mile above the present camp. The leader of this party was a man named Parrish, not a bad fellow, but one who liked authority and was obstinate. The selection of the upper valley would be an endorsement of his plans, and virtually make him head of the colony. Those who favored the other location did it because they felt it was for the best interests of all concerned. They argued that the expense in time and muscle, and, of course, in provisions, in getting water upon the upper valley, which would have to come from the Verde River, would be at least four times what it would cost to bring it from Clear Fork into the lower valley. This was a strong argument in favor of the original location. Much work was to be done. Cabins to live in, and a suitable stockade for defense was first to be constructed, and then the land was to be cleared and water put on to it before cultivation could begin, so that it became a necessity to avoid all superfluous work, and save every hour of time if they expected to succeed in raising a crop that season, and a failure to raise and secure a crop was failure of the whole scheme, as nearly every one

had his all staked upon the success of the enterprise.

"Nothing was decided that afternoon, and though the day had been beautiful, during the night it began to rain, a thing they were not expecting, and were not prepared for. Several of the wagons had no covers, and the rain increasing, the contents became soaked with water. When morning came everything looked gloomy. The men gathered shivering around the fires, which were with difficulty made to burn. Two miles away upon the hills to the south it was snowing, and only the lower altitude kept them from being in a snowstorm where they were. Such was the condition of things on the first morning.

"All were impatient of delay and wanted to have the matter of the exact location of settlement determined. Those favoring the lower valley quietly numbered their forces, and found there were seven voters sure, and three more who were noncommittal, among them Mr. Foster, who had no cattle, and no interest in them, and who would be compelled to rely on some of the others who had. J. M. Swetnam went to him and agreed if he would join those favoring the lower valley, he, Swetnam, would furnish him cattle for breaking and cultivating his ground free of charge. The offer was accepted. There were yet the two who so far as those who favored the lower valley knew, had expressed no opinion.

"About 10 a. m., the same day, the rain ceased, and by noon the sun was shining. The matter of location had been fully discussed during the morning and Parrish, believing himself in the

majority, was in high spirits, and declared his intention of settling in the upper valley. Those favoring the lower valley had most at stake, and while deprecating the division of the party, determined to make their settlement as originally contemplated.

"One more effort was made to induce Parrish and his followers to yield, and upon their refusal preparations were immediately begun to continue the journey to Clear Fork.

"J. M. Swetnam, W. L. Osborn, H. D. L. Morse, Jo. Melvin, Thomas Ruff, C. M. Ralston, Mac Foster, Ed. Boblett, John Lang, and Jake Ramstein, ten in all, pulled out, and that evening pitched their camp at the place already selected on the point between the river and Clear Fork.

"The first work was to build a place to secure the cattle and provide for their own defense in case of an attack from the Apaches. The next morning before the sun was up they had begun work. The stone of the old ruin previously spoken of, was used to make an enclosure sixty feet long and forty feet wide. The walls were built to a height of seven or eight feet, being four feet thick on the bottom, and two feet thick at the top. A well was also dug that they might have water in case the supply from the river or ditch was interfered with.

"The stone enclosure being completed, they built a cabin on each corner. These cabins were built of poles, notched at the ends, and made a very substantial habitation. The floor was mother earth, wet, levelled, and pounded so as to make it hard and smooth. The cracks between the logs were chinked and plastered with

mud. There was one door and one window to each cabin, and these were closed with strong shutters. There were also loopholes looking out from the exposed sides and end of each cabin. The covering was made by using poles round or split for a foundation, covering this with grass, and then piling dirt to a depth of fifteen to eighteen inches on top of that. The timber for these purposes was got from the grove which fringed Clear Fork on each side for a distance of over two miles from the mouth. This was willow, cottonwood, and ash.

"The cabins completed, the next work was to open a ditch to bring water to the Fort, as they now called their camp, for irrigating purposes.

"The spot selected for the dam was a point on Clear Fork about one mile and a half from the Fort. This would enable them to cover about four hundred acres with water. The plan was to make the ditch three feet wide at the top, and fifteen inches deep. Then came the survey. For this they had no instruments. Ralston had once carried a chain with some surveyors in Illinois, and thought he could survey the ditch, so he arranged a triangle with a leaden bob, and with the aid of a carpenter's level, the work began. The first half mile was through greasewood and mesquite, which annoyed the surveyors, and afterwards rendered the digging in places quite difficult. The survey being completed up on to the level, from which point the water would have plenty of fall, the work of digging was begun with a will, every man doing his part. There was a division of labor. Two or three men had to remain about the cabins to be on the lookout for Indians and to look after the

oxen, and two, Jake Ramstein and John Lang, refused to join in with the main party, but took out a small ditch on the south side of Clear Fork. This ditch was less than half a mile long, and covered about forty acres of land, so that reduced the number to work on the main ditch to five at a time. Swetnam was made time-keeper, and the working and watching was so arranged that each man did his share of the digging.

"The work was hard, but they were at it by sunrise in the morning, and sunset often found them wielding the shovel and the spade. Work upon the ditch had continued for over a week when it became necessary to go to Prescott, for provisions were getting low. They had expected to be able to get some game in the valley, but nothing had been killed, excepting two or three geese and as many ducks. A few fish of the sucker family had been caught, but the addition to the larder did not pay for the time spent in catching them. About the 20th of March, five of the party, with one wagon and two yoke of oxen, left on the trip to Prescott.

"At the upper camp they were joined by two men who were leaving the valley in disgust. This increased the number to seven. The Indians on the way up annoyed them some, though they were not attacked. During the absence of the party after supplies, work on the ditch almost ceased, and the time was spent in gardening and such other work as could be done near the Fort.

"The party returned from Prescott in about six days, bringing with them Mrs. Boblett, Mr. and Mrs. Whitcomb, father and mother of Mrs.

Boblett, Charles Yates, and John A. Culbertson, also thirty-three head of cattle belonging to John Osborn, and ten or twelve head belonging to Whitcomb, which, with the oxen they already had, brought the number of cattle on the ranch up to between fifty-five and sixty, and, what was better, gave them three more men, and the civilizing influence of women.

"The cabins were now occupied as follows: The northwest by Swetnam, Ralston and Foster; the northeast by Osborn, Melvin, Morse, Yates and Culbertson; the southeast by Lang and Ramstein, and the southwest by Mr. and Mrs. Whitcomb, Mr. and Mrs. Boblett, and Thomas Ruff.

"Work was again vigorously prosecuted on the ditch, but when Culbertson, one of the new arrivals who had had much experience in irrigating in California, came to look the ground over, he insisted that the survey was incorrect, and unless they had the power to make water run up hill, the ditch would be useless if continued on the present survey. Ralston contended that the survey was correct, and to settle the matter a dam, which was intended to be left until the ditch was finished, was now thrown across the stream, and the water turned into the ditch. Though turned on with considerable head, it ran sluggishly for about one hundred feet and stopped. Clear Fork water would not run up hill.

"The atmosphere grew blue and sulphurous for a little while. Many days of hard labor had been lost by the blunder, but they were not the kind of men to repine. The upper end of the ditch was lowered, the survey made on a little lower level, and the work progressed without in-

terruption until the ditch was completed, and an abundance of water, clear as crystal, running therein.

"The work of clearing off the land and breaking had begun, and was prosecuted with such vigor that by the 10th of May over two hundred acres had been planted in barley, wheat, corn, potatoes, beans, melons, and garden stuff, and was growing with a rapidity only seen where there is rich soil, a hot sun, and plenty of moisture.

"Two or three times the Indians had made their appearance on the hills, and twice tracks were found within twenty rods of the cabins where the savages had been the night before, but up to the first of May there had been no particular annoyance, and the settlers began to have hopes that the Indians would not molest them, and became careless. The cattle were allowed to wander without someone being with them all the time, though they were looked after, brought up at noon, and kept corralled every night.

"One morning in the early part of May, the settlers were engaged on their different tracts of land when the cry of 'Indians! Indians!' rang out upon the startled ears of the settlers, and in a minute every man was hurrying to the Fort. Mr. Whitcomb, whose duty it was to look after the cattle, had, just before 10 a. m., missed three head of oxen. It was but a few moments work to reach the spot where he had seen them half an hour before, some sixty rods away from the cabins. He soon struck their trail and, following it, were moccasin tracks. This explained their disappearance.

"Twenty minutes after the alarm was given, Melvin, Ralston, Osborn, Swetnam and Morse were upon their track in hot pursuit. The direction of the trail was south of east, crossing Clear Fork not far from the head of the ditch, and coming out on the mesa nearly three miles from the Fort, the general direction being Tonto Basin, for which point the Indians were evidently heading.

"The cattle were in good condition, and the Indians, probably a small foraging party numbering nine or ten, were sparing no effort to get away with their booty, and with three-quarters of an hour start, through a region every foot of which the Indians knew, and of which their pursuers knew little, it could be nothing else than a dangerous and a long chase. But this only increased the determination of the boys to recapture the cattle. 'For,' said Ralston, 'this is their first raid and, if successful, they will soon come again, but if defeated in this effort, it will teach them to let us alone in the future.'

"At a distance of about four miles the trail entered the mountains, where the rocky condition of the ground rendered the trail, in places, quite indistinct, thus hindering the pursuers. At this point Thomas Ruff, mounted upon the only horse in the valley, and with a supply of bacon, flour and coffee for two days, and bread for one meal, overtook the boys, increasing their number to six.

"About half-past one p. m., they came to a beautiful clear cool stream of water. Here they stopped for twenty minutes and ate a lunch of raw bacon and bread, washed down with cold water, and no banquet was ever better relished.

"The little rest and food greatly refreshed them, and the boys strode over those wild, rough and rocky mountains at the rate of five miles an hour.

"By two o'clock there was no trouble in following the trail, the droppings from the overheated cattle, and the little flecks of foam, not yet dry, showed that the distance between the pursued and the pursuers was growing rapidly less.

"At four o'clock a small stream was reached where the cattle tracks in the water had not yet cleared, and the boys knew their game was near. Here the trail was almost directly up the mountain side, which was covered with pretty thick brush, necessitating a little more caution in the advance, but the speed was not lessened. With faces flushed with the muscular exertion, guns in position for immediate use, and every eye and ear upon the alert, they ascended the mountains for nearly a mile, Swetnam in the lead, Melvin at his heels, and Osborn next, thus reaching what seemed to be the top. In a hollow some fifty steps ahead stood the cattle, with tongues hanging out, panting for breath, and a number of arrows sticking in each, but no Indians in sight. Beyond the cattle was another short rise, and the savages, finding the pursuit so close that they could not get their booty in its exhausted condition over the edge before the boys came in sight, concluded to abandon the cattle and save themselves.

"A halt, only long enough to pull the arrows from the wounds of the bleeding cattle, was made. Then they hastened on after the Indians, but all trace was soon lost. Still they continued

on for perhaps a mile further, coming to the extreme top of the mountain, when, looking off to the south, east and west, a vast region of country came into sight, the valley of the Salt River and its tributaries, beyond which the mountains shone dim and blue, a region in which no white man had dared attempt to make his home.

"Further pursuit was useless, and the boys returned to where the cattle had been left, one of which was found to be badly wounded, but they turned them toward home and immediately began the journey.

"About six o'clock they met John Lang (the cattle belonged to him and Jake Ramstein). John's face was covered with dust, his hat was off, his shirt bosom was open, the sight was knocked from his gun, and the stock broken.

" 'Well, John,' said Melvin, 'did you expect to overtake us?'

" 'Vell, I t'ot I would as you come back,' was his reply.

"Upon questioning him regarding his broken gun, it developed that he, being at work south of Clear Fork, did not hear of his loss for half an hour after the party had started in pursuit, when, against all remonstrance, he started to follow, and, on his way, came across an Indian who had evidently been left behind to watch and report. Lang got up near enough to him to shoot, but he did not kill the Indian, and this made him so angry that he threw the gun away and charged the Indian with his sixshooter, but the savage soon disappeared. Then Lang returned, picked up his gun, and followed on the trail. When asked why he threw the gun away, he said, 'The tam gun, is no goot.' He felt

there would have been one dead Apache had the gun 'been goot.'

"An hour before dark the party halted long enough to prepare and eat supper, after which they resumed their journey, reaching home at three o'clock the next morning, having been out seventeen hours, and travelled fifty miles. The cattle stood the trip home, but one of them died from the effects of his wounds on the day following. The other two lived to be again captured, and again rescued.

"About this time the upper camp was abandoned entirely. Too late they found that they could not get water on to the ground in time for a crop, and, becoming discouraged, they gave up entirely, Parrish and four or five of his followers going back to Prescott, and the remainder joining the lower camp.

"Everything went on smoothly for some time, except that the horse was one evening run off by the Indians. Corn had been planted, and the grain and vegetables were looking well, though the grain had been planted late. The corn began to need cultivating, but without horses how was this to be done? Three or four shovel plows had been brought down, and these could be stocked if the motive power could be got. It has been said, 'necessity is the mother of invention.' Short yokes were made, a harness improvised, and single oxen were put to plowing between the rows of corn, and, though slow, they did the work very well. But in this instance the command, 'Thou shalt not muzzle the ox,' had to be disobeyed, or there would have been no corn, and no plowing.

"The living was not elaborate. It was coffee, bacon, beans and bread for breakfast; beans, coffee, bread and bacon for dinner, and bread, coffee, bacon and beans for supper.

"At Prescott flour was $30.00 per cwt., in greenbacks; bacon 50¢ per lb. But when the new vegetables were ready for use, they fared better, and when the sweet corn and green beans came, followed by potatoes and melons, they lived like kings.

"Late in May a man by the name of Sanford, an old Californian, joined the colony, and about this time a man from Texas, named Elliott, with his wife and three or four children came. Another cabin was built on the east side, the end being placed immediately against the stone enclosure. Crops were now growing vigorously, and the boys began to feel in good spirits. Work was now less pressing, and the company being larger, more trips were made to Prescott, and upon each of these occasions one or more persons would accompany the party back to the valley.

"Prescott being the nearest postoffice, letters and papers were received at intervals of three or four weeks. Books were few, and amusements, outside of cards or target shooting, were scarce. There was no game to hunt, and altogether it was rather a humdrum life to lead, except when the Indians gave them a little excitement.

"Scarcely a man in the whole valley went by his own name, nicknames being given to each. For instance Clayton Ralston, because he got a letter stating that his sister had a boy, was immediately dubbed 'Uncle Clayton'; Boblett and

his wife, although married over ten years, had no children, but he was called 'Pap'; Culbertson was a slim, long legged fellow, and he was known as 'Fly-up-the-Creek'; Osborn was 'Stubbs'; Swetnam, 'Scrappy'; Morse, 'Muggins'; Foster, 'Scroggins'; Melvin, 'Schimerhorn,' and so on.

"The latter part of May, while five or six of the party were on a trip to Prescott for supplies, just after the noon hour, the ditch was found to be without water. There could be but one explanation, either the dam or ditch was cut, and only Indians would do it. The breach must be repaired and the camp protected. This might be a scheme on the part of the Indians to divide the force left in the valley, and then attack the cabins. The cattle were corralled, and Culbertson and Swetnam volunteered to make the attempt to find the break and repair it. In addition to their usual fighting implements they took an axe, and a spade, and followed up the ditch. They had not gone more than one-third the distance to the dam when a column of smoke was seen rising from a point on the mesa, south of the dam. The redskins were there, and were watching the settlers. The boys, after reconnoitering for some time, finally reached the dam, which had been cut and the water turned into the main channel. Three or four hours steady work, one standing guard while the other labored, was sufficient to repair the breach and throw an abundance of water into the ditch. The boys quit just before night and returned safely to the Fort.

"There was no more disturbance from the Indians until June 23rd. That morning a party had returned from Prescott, bringing in two or three visitors and two horses with them, and

those left in the valley received them with great joy, for they were several days behind their expected return and for two days the commissariat of those at the Fort had been reduced to coffee, beans, and green vegetables, so that when they did return, everybody knocked off work and made a kind of a holiday of it.

"The cattle had been brought up to the corral at noon, but had not been put inside. The two horses were picketed within a hundred feet of the northeast cabin, and there was no thought of Indians. Dinner had been eaten and several of the boys were lounging in the northwest cabin, the window of which looked directly up the river. During the dinner hour the cattle had wandered off up the stream perhaps a half a mile, and half as far from the river, it being another half mile to the bluffs to the northeast. Some one glancing up the river saw four naked men running from the cover of the bank directly toward the cattle. 'Indians! Indians!' was the cry. Swetnam, Ralston and Foster seized their guns and started on the run to save the cattle, the other boys hurrying to their own cabins for their guns. The intention was to reach the cattle before the stampeders could get them to the bluffs. Swetnam, being the fastest runner, was in front, Ralston next, and then Foster, but the latter had thought of the horses, and, leaping on the back of the best one, passed Ralston and overtook Swetnam when nearly half a mile from the Fort. Swetnam here mounted on behind Foster. From four Indians first in sight, the number had increased to over sixty, and they had formed a hollow square around about twenty-five of the cattle, and were hurrying them on the run to the

mouth of a ragged canyon half a mile from where the cattle had been captured.

"It was a beautiful sight. The Apaches were naked except for the breechclout, and armed with rifles, long handled spears, and bows and arrows. The spears were freely used in urging the cattle forward, but five or six of them broke away from their captors and escaped.

"Foster and Swetnam both urged the horse to as great a speed as possible, and, without stopping to consider the danger, did their best to reach the canyon before the Indians, but the distance was too great; they were still eighty yards away when the mouth of the canyon was entered by the savages, who divided into three columns, one moving up the center after the cattle, and one up each side of the canyon. Swetnam here leaped from the horse and dropped on one knee, when there was a roar of firearms, and the bullets knocked up the ground all around him. He selected his Indian and fired. Foster, armed with a double barreled shotgun, urged the horse forward almost into the mouth of the canyon, and emptied both barrels in the face of a shower of balls and arrows from the foes who had taken shelter behind rocks. Foster then wheeled his horse, which had been shot through the neck, and rode back to where Swetnam was watching a chance to pick off a savage if opportunity occurred. In a few minutes Ralston, Culbertson, Osborn, Melvin, Boblett and one or two others came up, and, leaving the wounded horse behind, they continued the pursuit, the Indians having disappeared in the retreat. The boys followed for perhaps two miles through the hills, hoping that they might

recapture some of the cattle, but in this they were unsuccessful. They found one large ox that had been killed and left lying as he fell. The Indians got away with nineteen head of cattle, worth at the time between three and four thousand dollars. The wounded horse began to recover, but in less than two weeks both the horses, in spite of all vigilance, became the property of the Apache thieves.

"About this time the harvesting began. The barley was so short that it could not be well cut with a scythe and cradle, so the boys pulled it like flax. The grain was then beaten out with flails, or tramped out with oxen on dirt floors, and the grain separated from the chaff by a man standing on a stool and pouring it slowly on to the ground, thus allowing the wind to blow the chaff and straw away. By repeating this several times the grain was got pretty clean, except for gravel and dirt, more or less of which had unavoidably got into the grain from the roots and the thrashing upon the ground.

"In the latter part of July the settlers were scattered about among their respective crops, Lang, Ramstein and Yates across Clear Fork, where they had been camped for two or three days thrashing their wheat, having two yoke of oxen with them; Whitcomb with the herd between the Fort and the river; Culbertson forty rods to the south of him at work in the field, and the other settlers at work to the east of and about the Fort and the cabins.

"About two o'clock in the afternoon rapid firing was heard at the Dutch camp across Clear Fork, and at almost the same instant the Indians attacked the herder, and attempted

to stampede the cattle. Culbertson immediately rushed to the assistance of Whitcomb, who had been hit with two balls at the first attack, but stood obstinately trying to defend himself and protect the cattle. Culbertson's onset caused the savages to seek cover. The cattle, in the meantime, ran to the corral where they were secured. The Indians, eleven in number, then ran up the river, crossed over, and disappeared. Whitcomb had been only slightly wounded, one bullet striking his pistol, and another wounding him in the hands.

"That the camp across Clear Fork had been attacked there was no doubt, but a belt of timber between it and the Fort prevented anything from being seen. Half a dozen brave fellows at once volunteered to go to the assistance of the Dutch Camp, nearly a mile distant, and started at the double quick, when the lookout called their attention to a party of Indians hurrying down the west side of the river in the same direction. This was the band that had made the attack upon Whitcomb, and they were evidently hurrying to join their companions who had made the main attack upon the weaker camp. Matters began to look serious. No time was lost in speculation for there seemed bloody work before them. When about half way through the timber, they met Lang and Yates with one yoke of oxen, and the wagon, Ramstein lying in the bottom with a severe bullet wound in the hip. It seemed that Ramstein had been alone in the camp when the attack was made, Yates and Lang having gone into the field for a load of wheat. Ramstein fell at the first fire, and Lang and Yates, leaving the team,

hurried to his assistance, driving the Indians away, but not until they had plundered the camp. Ramstein, by half crawling and half running, managed to get out, and thus save his scalp. The Indians driven from the camp, Lang turned his attention to the oxen, half a dozen Indians being engaged in trying to get them loose from the wagon. With Dutch oaths he started shooting as he ran to save his cattle. The savages had loosened one pair of cattle, but the wheelers were fastened to the pole with a patent catch that the Indians could not unfasten, so they started to the river with the oxen and wagon. But Lang, swearing at every jump, and flourishing his six shooter, which he had now emptied, forced them to abandon the oxen, and he then drove them to camp, where Ramstein was loaded in by himself and Yates, and started off for the Fort, on the way to which they were met as already stated.

"Determined not to leave the savages in peaceable possession of that side of the creek, it was agreed that the wounded man, accompanied by all but four men, should go on to the Fort, and that these four should return and give battle to the Apaches, who numbered about seventy-five warriors. C. M. Ralston, Polk, James Boblett, and Swetnam, volunteered for this work, and immediately began a cautious but rapid movement in the direction of the enemy, distant not more than eighty rods, and whose chattering and exulting shouts could be plainly heard. When the boys had reached a spot about forty feet from the open ground, they came to a stop, and Swetnam, getting into the bed of a dry ditch, crawled along to the

edge of the brush. Cautiously raising his head, he saw a dozen or more Indians, some searching the abandoned camp, and others with torches setting fire to the dry and still unthreshed barley and wheat, while west of him and not more than twenty rods from his companions, was such a din, hubbub and chattering as it seemed nothing less than a hundred tongues all wagging at once could make. Hastening back with the report of his reconnoisance, the boys changed their course so as to get the edge of the thick brush about one hundred feet to the northeast of where the bulk of the savages were so busily engaged. All this had not taken ten minutes from the time they left the wagon, and in three more minutes they were crouching at the edge of the brush. About fifteen Indians could now be seen across the field at a distance of one hundred and fifty to two hundred yards, but at that distance they might miss, while the boys knew that others, while hidden by a tongue of brush, were in fifty feet of them, still keeping up that outlandish chattering. While discussing in whispers what was the best course to pursue, seven or eight stalwart warriors came out from behind a point of bushes not more than fifty steps away, and marched off in single file, in a direction quartering to the southeast.

"The question was solved. Swetnam and James each selected his Indian and fired, Boblett and Ralston reserving. Each of the Apaches fell, as is their custom when fired upon from close quarters, and as those who were able arose, Ralston and Boblett sent a couple more leaden messengers into them. The chattering was immediately changed into the war

whoop, and painted warriors poured forth like angry bees from a hive, but the boys simply backed a few steps into the willows, and reloaded as rapidly as possible. We might here state that all the guns in the valley were muzzle loaders, useless for long distances, but very effective at any distance under one hundred yards. Before the guns were reloaded, the savages were heard plunging into the river, less than a hundred yards away. The boys then knew the retreat had begun, but they moved from their cover very cautiously. It was proposed to follow and give one more volley as they crossed the river, but this suggestion was rejected, such action being considered too hazardous as the enemy would be on his guard. The mystery of the chattering was then solved. The captured oxen, which probably weighed fifteen hundred pounds each, gross, had been butchered and distributed within the space of less than half an hour, and to increase the wonder, nearly every particle, even to the intestines, had been carried away, the only pieces of meat found being those dropped by the little bunch of savages fired upon. The boys did what they could to arrest the fire started by the thieves, and then returned to the fort.

"It now became evident that the Indians were bent on destruction, and the settlers felt that they had got their harvest ready and that they deserved protection from the government. Earnest appeals were made to that effect to the authorities at Fort Whipple, and fair promises made that were not fulfilled. Peace reigned again for nearly a month, during which time a party of prospectors left Prescott, nineteen

in number, crossing the river about fifteen miles above the settlement, then crossing over to Beaver Creek, near which they were attacked by the Apaches with such vigor and obstinacy, that the party gave up the enterprise, coming into the Camp Verde settlement, where they left one man who was severely wounded. Ramstein was lying wounded at the same time, but through the skill of Culbertson, who acted as surgeon and doctor, both men recovered.

"In August the first load of barley was taken to Prescott. It was not choice, but it was the fruit of hard and dangerous labor. In gathering the grain up, which was done by hand, the boys were often stung by scorpions, and sometimes a rattlesnake would roll out of the bunch and go wriggling away, but it was the Apache that was the bane of life. On arriving at Prescott with the barley, the quartermaster was asked to buy it at eighteen dollars per hundred, what it cost to get it from San Francisco. He refused because it had gravel in it and was not so good as the California barley. When questioned as to what price he would pay, he answered: 'Don't think I want it at any price.' J. M. Swetnam, who was trying to make the sale, then said: 'This is a shame. Soldiers are sent here by the government to protect the people and their property, but instead of doing that they lie around the forts where there is no danger, and leave the settlers to protect themselves. Here are a few men who, for the purpose of developing the country, have staked all they had and gone into a region where twice the number of soldiers would not dare to attempt to stop for one month.

They have gone out in the fields to work in the morning, the chances being even that they would be scalped before night. They have appealed to the authorities here for aid, yet no aid has come. They have taken out ditches, and toiled early and late. Their cattle and horses have been stolen and run off, and part of their crops destroyed, and when a load of grain, the proceeds of all their labors, dangers and disappointments, is offered to a government quartermaster, he refuses to buy.' The officer smiled and said: 'Come back in an hour and I'll see what can be done.' The end was that he took the barley at seventeen dollars per hundred, and agreed to take all they had to sell at the same price.

"The settlers now had a much easier time; wheat and barley had been harvested; the corn was growing finely; vegetables of all kind were plenty so that, but for the Apaches, it would have been a life of ease, though monotonous. Corn was in roasting ear, and the Indians began to pillage. They would pass through a field of corn at night, and not only carry off, but pull, bite and destroy. This offended the boys very much. The most of the depredations were upon the corn of the Dutch boys across Clear Fork, that being the furthest away. After consultation it was determined to watch the field at night, kill an Indian, and hang him up on a pole as a warning. Lots were drawn for who should stand first, and for each succeeding night until all had stood, or the object secured. Osburn and Ruff came first, so they left the fort at dark, and slipped over into the field, where they remained until midnight,

and no Indians appearing, they returned to camp. The next couple was Swetnam and Polk James, the latter a rather mysterious young fellow, claiming to be from Texas, who had been with them not more than a couple of months, and who was as brave as a lion. These two left the camp the next evening, and took their station in the cornfield near the river, where they thought it most likely the thieves would enter. James was armed with a rifle, and Swetnam with a double barrelled shotgun, with sixteen buckshot in each barrel. They also had pistols and knives. They took their position, and sat there, annoyed by mosquitoes, until about ten o'clock, when an ear of corn was heard to snap in the other side of the field. Each sprang to his feet. There was another snap, and another. The Indians were there. Then began a cautious and steady march across to where the Indians were, both stepping at the same time, and trying to time the step with the snapping of the corn. It was tedious work, but after what seemed to be the best part of an hour, they got to the edge of a small piece of Mexican corn which, being the riper, was chosen by the savages for carrying away. It was the night of August 27th. The young moon had sunk behind the hill. A small cloud had gathered almost immediately over them, and it was quite dark, but yet not so dark but what something could be seen indistinctly moving. Swetnam levelled his gun at what he thought was an Indian, and fired. The object fell, and following the report was a stillness that was oppressive. Swetnam stepped forward and

placed his foot against the prostrate body. At that moment an arrow whizzed between their heads. 'Look out,' cried James, 'there was an arrow.' Before he had finished speaking, an arrow grazed his shoulder. At that moment there came a flash of lightning, the only flash too, as it happened that the cloud emitted, discovering to them an Indian crouching only fifteen feet away and shooting at them. Seeing that he was discovered he uttered his war-whoop, and in the double darkness that followed the lightning, although shot at by both the watchers, he escaped. His whoop was answered by several others. When the boys understood their danger, they reached down at their feet, caught and drew the body that had fallen, fifteen or twenty feet back into a taller piece of corn, where they reloaded as speedily and silently as possible. The body they had drawn back with them was only a bag made of an Indian blanket, and filled with ears of corn, and the blanket showed that Swetnam's aim had been good, for he had put the whole sixteen buckshot into one hole. The Indian had the bag, which saved his life, upon his back, and was not more than twenty feet away when the shot was fired.

"The guns loaded, the boys listened breathlessly for some sound, when there came a rustling in the corn all around them. It was a terrible moment; each felt as if he were surrounded by Apaches; as if his time had come. For five minutes they stood, trying by the force of their willpower to quiet the tumultuous beatings of their own hearts. Silence again surrounded them when, the excessive strain relaxing, they sat

down on their bag of corn to wait. After a lapse of a few minutes more, there was another slight rustling, and again all was still. Quiet as the grave they sat there for an hour, but ere this it began to dawn upon them that the rattling sound that their heated imaginations had wrought into the stealthy movements of a score of crouching, murderous Apaches, was only the rubbing of rank corn blades together as they were stirred by the light breeze. This was proven the next morning when, by daylight, a search was made, and no Indian track found immediately around where they were. The arrows which had been shot at them were found, also the trail by which the Indians had escaped. The blanket was secured and kept by Swetnam for a long time as a trophy. This ended the pilfering, but three weeks later the Indians came in force and, judging by the trail which they made no attempt to conceal, there must have been a hundred and fifty; there were even tracks of children not more than eight or nine years old in the party, and they got away with at least one hundred bushels of corn, worth six dollars per bushel. The theft was not discovered until the next morning. The moon was at its full, and the next evening, a little after dark, ten men started upon the trail, but after a few miles the Indians scattered in different directions, and though the boys followed for fifteen miles, they found no Indians.

"About the middle of September, Lieut. Baty, with sixteen men, was detailed by the commander of Fort Whipple for the protection of the settlers of the Verde valley. But they were of little use, several of the men, from one cause

and another, being unfit for duty, and the lieutenant commanding was a coward. On the way down, within seven miles of the settlement, the soldiers were attacked by the Apaches, the commissary wagon captured and burned, one or two troopers wounded, and two government mules killed. It was a notorious fact throughout the country that Indians would not hesitate to attack a party of troops double the number of a party of settlers or miners that would be left unmolested, the reason being that the soldiers had little heart in the fight and, up to the days of General Crook, were poorly commanded, while the settlers and miners were fighting for their homes, for honor, for life itself.

"When the soldiers had been in the valley about one month, the savages made another attack, capturing all the remaining cattle except seven, being the last but seven of a herd of fifty-five head brought into the valley less than eight months before. In this raid the direction and management of the defenses was left to the military, though the settlers joined them with their old-time vigor. Lieutenant Baty gave his orders, detailing a sergeant to execute them, and was immediately taken ill, returning to his tent, keeping a man to fan him, and did not come out again for more than an hour, not until the fight was over and the Indians gone. The savages had made the raid from the hills northeast of the fort, and were back again with their booty under cover before the sergeant with nine troopers and eight settlers got started in pursuit. But half a mile back in the bluffs they made a stand, and but for the watchfulness and intrepidity of two of the settlers, Culbertson and Sanford, part of

the troops would have been surrounded and probably killed. The Indians were well managed, a large party of them rapidly retreating, followed by the sergeant and five men, not knowing that another party of Indians were concealed while the troops were passing them. But several of the settlers coming at an angle, discovered a savage belonging to the concealed band, and knowing that a trap had been set, began firing. This brought the savages from their cover, and made the soldiers aware of their danger. The latter at once began to retreat, and the Indians, leaping forth by dozens, turned their whole attention to the settlers, who stood their ground manfully, and finding that the savages were being reinforced, and that it was retreat or be scalped, Melvin and Ruff immediately sought the shelter of a ravine and escaped unhurt, but Culbertson and Sanford were not so fortunate. The latter was surrounded, and defending himself as best he could, when Culbertson rushed to his assistance. The savages were then driven back, and the two men then began to dodge from cover to cover, loading and firing as opportunity offered, until assistance arrived and the Apaches fell back. Both men were wounded, Culbertson quite seriously. In the meantime the sergeant had succeeded in extricating his men from what came near being a serious ambuscade.

"Although October, the day was hot, and one of the funny incidents connected with the fight was the appearance of one of the Indians, evidently a chief from the active part he took, wearing during the whole time a soldier's heavy cape overcoat.

"A few weeks after this, Baty was relieved of the command, Lieutenant McNeal, with a small reinforcement, being sent to take his place. McNeal was a very good man, who seemed to realize the situation.

"The government made arrangements to take all the corn and grain which the settlers wished to sell, paying for the corn, without its being shelled, thirteen dollars per hundred. This was some compensation, but when it is remembered that during the season the Indians had destroyed or carried away barley and corn to the amount of nearly $2,000, driven off horses to the value of $500, and cattle to the value of over $6,000, for none of which the settlers have ever received any reimbursement, the profits were not large, considering the labor, anxiety and privations, not to mention the sufferings of the men who established and maintained the first settlement in the valley of the Verde."

Never in the history of the world did men have to contend against so formidable a foe as did the pioneer settlers of Arizona. Harassed on all sides by the relentless Apaches, cut off from civilization by the desert plains of New Mexico and California, they lived a life of warfare and privations, a few determined men against hordes of savage foes. Many of these hardy settlers fell victims to Indian cunning, and the finding of a few bleached bones in after years was all the record left of their untimely departure.

# CHAPTER XII.

## EARLY SETTLEMENTS (Continued).

FIRST SETTLEMENT IN LOWER SAN PEDRO VALLEY—MILITARY PROTECTION WITHDRAWN—INDIAN DEPREDATIONS—WM. A. BELL'S DESCRIPTION OF SETTLEMENT—FISH'S DESCRIPTION OF EARLY SETTLEMENTS — RUSLING'S DESCRIPTION OF EARLY ARIZONA—YUMA—TUCSON — EHRENBERG — LA PAZ — CASTLE DOME LANDING—DESCRIPTION OF PRESCOTT BY BEN C. TRUMAN—"SAN FRANCISCO EXAMINER'S" DESCRIPTION OF PRESCOTT—ARIZONA HISTORICAL SOCIETY — BIOGRAPHY OF BEN H. WEAVER—HOOPER & CO., FIRST MERCANTILE ESTABLISHMENT IN ARIZONA—MEMBERS OF—BIOGRAPHY OF EDWARD N. FISH.

Colonization in the southern portion of the Territory was also begun contemporaneously with the colonization in the north. From the Fish manuscript I quote the following:

"The occupying of the lower San Pedro (the term lower is used to distinguish it from the settlements above Benson made later on), was the earliest of any point in this district. On December 15th, 1865, Mark Aldrich, John H. Archibald, F. Berthold, Jarvis Jackson, John Montgomery and H. Brown, of Tucson, came into the lower San Pedro valley, and located lands. They immediately put in a crop of wheat and barley. In February, 1866, they commenced work on the ditch which was to carry water to their lands. Things went on quite well, and by the 25th of April, all were ready to plant a crop of corn. Houses had been erected and a few

troops came for their protection, and in a short time there were about one hundred men, women and children in the valley. In September the troops were taken away. The crops for the first year were very good, considering the circumstances. The total amount of grain, such as wheat, barley, corn and beans was about 350,000 pounds.

"The first Indian depredations were in the next year, 1867, when some Mexicans were attacked while plowing, and one was killed. Some weeks later the Indians killed the herder, and drove off one horse and four yoke of oxen. Things began to look very discouraging, and some of the settlers in the lower part of the valley talked about leaving, but a petition was gotten up for troops, and General Crittenden sent ten men to aid them. The Indians continued to be troublesome, and in September they stole three more horses. The grain crop this year was not as good as the year before. It amounted to about 250,000 lbs., mostly corn."

William A. Bell, in his work entitled "New Tracks in North America," being, as he himself calls it, a journal of travel and adventure whilst engaged in the survey for a southern railroad to the Pacific Ocean during 1867–68, and who, while engaged in this work, visited the San Pedro Valley in 1867, says:

"I visited a farm in the San Pedro Valley before leaving Camp Grant; it was only four miles from the fort, and yet all the crops that autumn had been cut down and carried off before they were ripe by the Aravaipa Apaches, and all that remained of the stock was a few pigs. Half a dozen soldiers were kept at this ranch all the

year round to try and protect it, so that the fort might be supplied with fresh farm produce; yet during three years this farm has changed hands thrice; the first man was killed, the second was scared away by the frequency of the attacks upon him, the third is now thoroughly disgusted, and talks of settling amongst the Pimas on the Gila."

Of the early settlements in Arizona Fish, in his manuscript, says:

"In the early days of American occupation Arizona was considered by all Americans an utterly barren and worthless waste of shifting sands and rock-ribbed mountains, probably rich in minerals, but of no agricultural value whatever. The early explorers, trappers, and prospectors, had no thought of seeking farms in Arizona, but having come to these sandy and rocky wastes in search of silver and gold, they began to till the soil in spots to supply their necessities, and found it wonderfully productive wherever water could be obtained. Since that period progress has been constant, though at times not very rapid. It is known that the lands around the Pima Villages have been cultivated for over three hundred years, raising two crops a year, and still they produce as plentifully as ever, and their cultivation may extend centuries back of that period. The soil formation is as variable as that of California, ranging from the white pebble to the red clay and black alluvium, differing greatly from the geological rules in other sections of the Union. Sands are found along streams where fine soil might be expected, while the dark, strong formation is often found upon the mesa, where only vegetation of semi-

sterility grows. Most of the valleys served as a colossal receptacle for a vast, rich deposit of the decompositions of the surrounding mountains, which has been carried and swept into them by the rains and winds of centuries. This makes these regions the most fertile spots in the world, lacking only water, and being destitute of this, they are deserts or wastes that cannot be used. Up to the time of the subjugation of the Apaches, little attention was given to farming. A little land was cultivated in spots in the Santa Cruz Valley, a few patches were under cultivation in the vicinity of Prescott and the Verde; some little in the vicinity of Florence, and some in the Salt River Valley, where Phoenix had just been established. The amount of land under cultivation at this period was very small indeed, but there had been a cause for this, which the warlike Apaches could have explained."

Notwithstanding the rather pessimistic view taken by Mr. Fish, quite a number of settlements were made in Arizona during the years 1865 and 1866, and also in the latter part of 1864.

Joseph Ehle, and his son-in-law, John H. Dickson, took up a claim in Skull Valley in the fall of 1864. The next spring they plowed and put in some corn, but the Indians ran them out of the place. In the spring of 1866 they put in about 50 acres of corn. It yielded nearly 50 bushels to the acre, which they sold to the government for the soldiers stationed nearby, at ten cents per pound.

A location was also made in Williamson Valley, James Fine starting a home there in 1866, but the settlement did not grow very fast, as the

next year the place could only boast of having two or three settlers.

General Rusling, in his work, "Across America," says: "The military posts, like the smaller settlements, were lonely places, and far removed from civilization. At Fort Mohave, early in 1867, the only white woman was the wife of an officer. She was the only white woman within a hundred miles of the place."

He visited Arizona in the winter of 1866–67 on a tour of inspection of the Pacific coast, being then a Brigadier-general in the United States Army. Besides his report he kept a private journal. Of Arizona, on page 400 of his work, he says:

"The population of the Territory was variously computed at from three to four thousand only, of whom the majority by far were Mexicans and their descendants. The other whites were mainly Arkansans and Texans, many of whom, no doubt, exiles from the east 'for their country's good.' Of course this was not a very favorable basis for a commonwealth, and the Territory, it appeared, was about at a standstill. As evidence of this there was not a bank, or banking-house, or free school, or Protestant church, or missionary even, throughout the whole of Arizona, a region some four or five times as large as the great State of New York."

Yuma, at that time, was the main point of the southwest, and the center of trade for most of the Territory. In 1866 the place contained a population of about five hundred inhabitants, all told. Many of the settlers were of a worthless class. They knew how to drink and swear, and were not of that class which was termed

"good citizens." These rough characters, with the soldiers at the posts, had a very bad effect upon the morals of the Indians. Their licentiousness was disgusting. Rusling said: "On one occasion the commanding officer bade Pasqual (the chief of the Yumas), to order his squaws away from the post. 'My squaws!' he indignantly responded, 'no my squaws now! White man's squaws! Before white man came squaws good—stay in wigwam—cook—fish—work in field—gather barley—heap good, but white man made squaws heap bad. White man keep 'em!' "

On page 361, Rusling says: "Both sexes, as a rule, were naked from the waist up, and many of them were superb specimens of humanity, but all seemed corrupted and depraved by contact with the nobler white race. The open and unblushing looseness and licentiousness of the riffraff of Arizona City with these poor Indians was simply disgusting, and it is a disgrace to a Christian government to tolerate such orgies as frequently occur there, under the very shadow of its flag. Great blame attaches to the army, in former years, for ever admitting these poor creatures within the precincts of the post there at all."

In 1866 the headquarters of the military were removed from Prescott to Tucson. The town received somewhat of a boom for, in Arizona, particularly, prosperity seemed to follow the flag. The entire population of Arizona was engaged in something tributary to the United States Paymaster. Mexicans got out wood, hay and beef for the army. They would come into

town, bringing vouchers for two or three hundred dollars, which were for two or three months' work. These they would trade to the merchants for goods, according to Fish, and get a small portion in cash. On the next arrival of the paymaster, the merchant would get his money. The paymaster came only twice a year, and when he arrived his appearance created great excitement. A general good time followed. Everyone had money, and plenty of it; gambling flourished on a large scale, and the saloons reaped a rich harvest. Business would boom, and last some two months, when the vouchers would begin again.

At the commencement of the year 1867 there were about half a dozen stores in the place, well stocked with all kinds of merchandise. Coal oil was $8 per gallon, sugar seventy-five cents a pound, coffee a dollar and a half, a bar of soap fifty cents, boots fifteen to twenty dollars a pair, flour sixteen to eighteen dollars a hundred pounds. Twenty-five cents was the smallest piece of money in use, just as a nickel is here to-day. These prices were in gold.

Tucson was the headquarters of the military, and the chief depot for the several posts. Stores for Camps Lowell, Cameron, Wallen, Bowie and Grant were all received here from Yuma. The total cost from San Francisco to Tucson for transportation, was twenty cents per pound in coin. These prices were ruinous to every enterprise, and was the main thing, next to the Apaches, against the Territory, and the merchants and officials were clamoring to get transportation from a gulf port, either La Libertad

or Guaymas. Many investigations of this route were made, this being one of the objects of the visit of General Rusling. The changing of the routes, it was thought, would save at least two hundred thousand dollars to the Government annually.

During the rule of Maximilian in Mexico, there was a considerable influx of Liberals into Tucson from Sonora, but when Juarez came into power, many of them returned to their former homes. Many of the acquisitions made from these parties did not help to promote good order, for they were desperate, undesirable characters. This added to the disorder and few men died a natural death, and this led to the formation of a Vigilance Committee in Yuma, and a Law and Order Society in Tucson, whose object it was to protect society against robbers, thieves, and murderers. There is no record that any of these societies ever took the law into their own hands, but the mere fact that the law-abiding citizenship along the border being organized into these societies had, no doubt, a most salutary effect upon the lawless class.

Tucson was badly governed in the early days. "For some time," says Fish, "the Mexican Alcalde dealt out justice in the old-fashioned way. This did not suit the Americans, and the whipping-post had seen its day. Judge Chas. Meyer (an account of whose administration is given in a preceding volume), and Jimmy Douglass were appointed to effect a change. The first thing they did was to establish a chain-gang, and enlist in its ranks every offender that was caught. Jimmy did the most of the catching,

and the Judge 'sent them up.' The shyster lawyers, who had been running the machinery of justice to suit themselves, tried to overthrow the chain-gang with the constitution of the United States, but their efforts availed nothing. The Judge did not propose to fool with the constitution until he had thoroughly tested the chain-gang. His process was as summary as the results were gratifying, and in a short time all the wild, rough characters who had ruled the town, were employed in levelling its streets. Judge Meyer was justice of the peace for many years afterwards. His policy had changed things considerably, and the streets soon presented a motley crowd, where almost every phase of life was presented. Kid-gloved men, fresh from the eastern cities were there, full of the idea of plundering Arizona and going back to enjoy the results; brawny, broad-shouldered stockmen, and hardy, open-faced miners, representatives from a score of different nations; Indians scattered around, and dogs without number, made up the street scenes of Tucson. Immigrants came in slowly, and improvements were gradually made."

It is claimed that as early as 1858 one R. Jackson put up a flouring mill in Tucson. The mill, however, was the property of Captain Roulett & Brothers. It was erected at an enormous expense. The timbers were hewn out of cottonwood logs, and it was roughly but strongly built. Wheat was brought from Sonora, and commanded enormous prices. At that time it was claimed that there were but eight or ten Americans in Tucson. A modern flouring mill was

built in Tucson in 1872 by James Lee and W. F. Scott, who, two years later, sold out to E. N. Fish.

Ehrenberg, a hundred and thirty miles above Yuma, named for Herman Ehrenberg, was started in 1863, and called Mineral City. In the early days the California & Arizona Stage Line crossed the Colorado at this point, the ferry being established as far back as 1862. A considerable amount of freight was landed at this point for Prescott and the interior.

La Paz, six miles above Ehrenberg, was the first county seat of Yuma County. The placer mines being worked out in the vicinity, most of the inhabitants went to Ehrenberg, and other places.

Castle Dome Landing, thirty miles above Yuma, was a flourishing place for a short time during the excitement of placer gold mining.

In the early part of the year 1867, Mr. Ben C. Truman, special agent of the Postoffice Department, wrote a letter to the "San Francisco Bulletin," from which I extract the following:

"On the whole, Prescott is an interesting as well as thriving and delightful place. Good order prevails to a greater extent than in any mining town I ever visited. The people, for the most part, are industrious and properous. The climate is charming, and the site is picturesque. The country around and about seems like an enchanted land. From Capitol Hill, about four miles outside the city, a panorama of exquisite loveliness and long drawn beauty dazzles the view of the beholder. Sixty odd miles to the north San Francisco Mountain up-

lifts itself majestically, fifteen thousand feet above the level of the sea, a very giant among its fellows. It is evidently a volcanic mountain, about twelve miles in length, of a granite formation, with a cluster of peaks clothed in wintry garments of perpetual snow, and circling this lofty mass are a number of hills traversed with belts of spruce and pine timber, and intersected here and there are gigantic avenues of granite rock, which slope in a symmetrical formation to a beautiful valley below through which rove and gambol innumerable deer.

"San Francisco Mountain belongs to the Mogollon Range, and, looming up, as it does, it seems to be a detached spur rather than a connecting link of the above-named chain. Northwest of this mountain, at a distance of about fifty miles, are the Moqui Indians, celebrated for their industry and for their uniform goodwill and peaceful disposition toward the whites. Fifty miles to the northwest is Bill Williams' Mountain, nine thousand feet high, and between it and the San Francisco Mountain, are other well-known earth giants. The most noted are Mts. Kendrix and Sitgreaves. The country between here and the San Francisco Mountain is valuable and consists of mountain, forest and plain, while here and there are groves of pine and juniper. Looking to the west a thimble-shaped mountain, called Mt. Thumb Butte, some four miles from the town, is the prominent attraction. Picacho Mountain, between Blue Water and Prescott, situated as it is in a forest of towering pines, is detached from its neighboring mountains. To the right, ten miles further,

Granite Mountain lifts its rugged sides, scattered over with rocks, shrubs and dwarf oaks, also pines and junipers. This mountain has been called by some, Mt. Gurley, in honor of the first Governor of the Territory. Along the passes of this mountain, and through a large agricultural field called Miller's Valley, meanders the Mohave road, upon which many a pilgrim has been sent to his long account by the hostile savages who infest these mountain districts. To the east and to the south, and in the lingering distance, heavily timbered with pine and black walnut, range after range of mountains tumble one upon another, while still further back are the mountains of precious metal which are at present attracting the attention of thousands. Here are the Lynx Creek, Turkey Creek, Big Bug, Quartz Mountain, and other large mining districts, in which are located no less than ten mines, many of which are already in active operation. The clear, sparkling, never-failing streams which run in every direction through these mountains, form the headwaters of the Verde River, Agua Fria and Hassayampa, the chief tributaries of the Salina and the Gila."

In January of the same year, the correspondent of the San Francisco "Examiner," gives the following description of Prescott:

"I promised in my letters a description of the town of Prescott which is situated on the banks of Granite Creek, in an amphitheater formed by the mountains and hills which surround it. The site is well chosen and prettily laid out. It looks huge, but has somewhat of an embryo appear-

ance in reality. There are one or two private residences that are quite respectable, some taste being displayed in their construction. There is but one brick building, erected expressly for the printing office of the "Arizona Miner," a semi-occasional paper that claims to be supporting no particular party, but professes to be open to all. As to the rest of the town, there are eight or nine stores, all in plain board shanties, with the exception of the building occupied by the Messrs. Bowers, which is constructed of adobe, and is, by far, the most commodious building Prescott can boast of.

"The present merchants are Gray & Co., also of San Francisco and La Paz; Campbell & Buffum, a branch of the Los Angeles firm; Mr. Hardy has a large store here, well stocked with hardware, and Wormser & Co. appear to have a pretty good business. After these, one or two small traders, three or four small drinking saloons, a hotel and a restaurant may be said to comprise the entire business of the place.

"Of public buildings there are none, except an old log building used as a courthouse and for sundry other purposes, too numerous to mention. We have no jail. That is speaking well for the morals of the community; and no church, perhaps that speaks the other way, but I am not quite sure. The courthouse answers the purpose very well, with a lager beer saloon attached. This useful courthouse is situated on one side of what is termed the 'Plaza,' a large quadrangle, that looks green and pleasant in the summer. A large flagstaff graces the same, from which floats the Star Spangled Banner.

Granite Creek comprises the rest of the town, which is below the Plaza on the north. As is usual, the houses on the lower side are built a little too near the stream, and are in danger of being washed away during freshets.

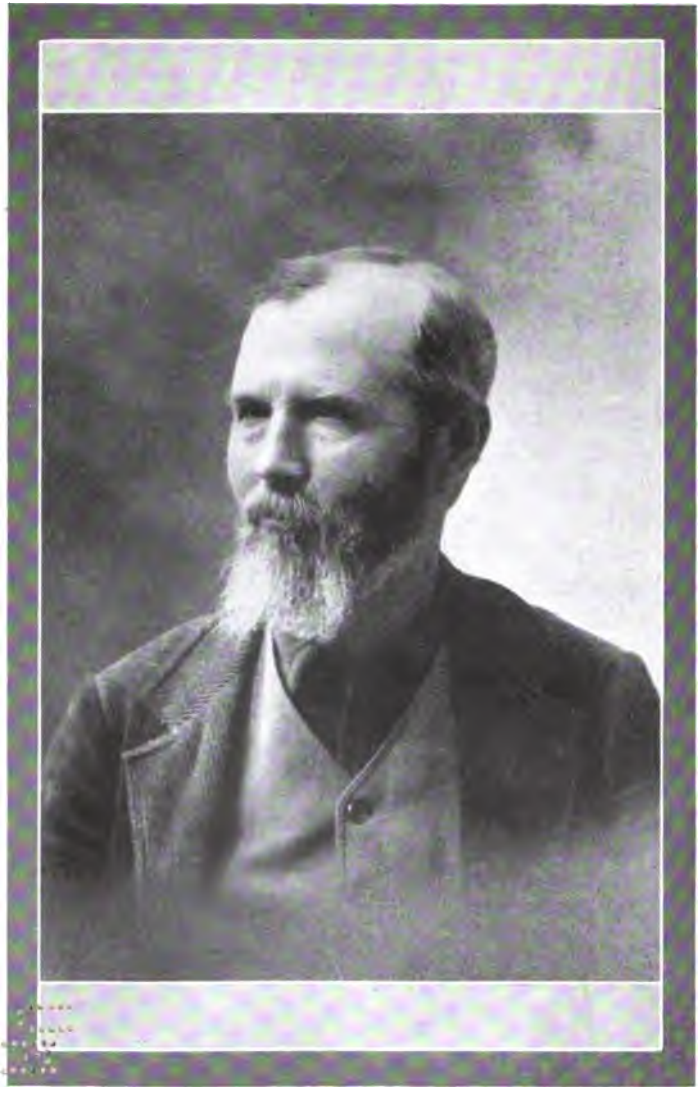
"The Governor's residence is on the opposite side of the creek, and is by far the most substantial private dwelling in Prescott. Fort Whipple is situated a little over one mile from town, and is a substantial adobe structure, and is, at present, occupied by a detachment of the 14th Infantry, commanded by Captain Krautz.

"I had almost omitted to mention what I consider one of the most useful institutions in Prescott, 'The Arizona Historical & Pioneer Association.' This association was incorporated two years ago by an act of the Legislature of Arizona, as 'The Arizona Historical Association,' for the purpose of collecting and preserving the war relics and evidences of a very remote civilization that abound in the Territory. They have established a library and reading-room, which is well supported by both home and foreign papers, farmers' periodicals, and a few standard works. The shelves contain several specimens of the rich and various minerals found in the Territory of Arizona. There are some curious relics from the past, and it will, some day, be a valuable collection."

The Arizona Historical Society had only a brief existence. After the removal of the capitol from Prescott, it was abandoned, probably for want of supplies.

Prescott, about this time, was a very lively place, typically western. Those who had money





B. H. Warren

shared with those who were impoverished. No need for anyone to go hungry who had any snap or energy. Every man packed his own arsenal. Many of them were crack shots. Neri Osborn speaks of two expert shots, Leroy Jay and Tom May, whose custom it was, after imbibing quite freely, to step off about ten or fifteen paces, and put a pine burr on the top of one of their heads, which the other would shoot off, and then they would do the same thing over, the other fellow doing the shooting. In 1866 they were hauling ore for Bill Behrens, and the Indians jumped them and killed them.

Mr. Osborn says: "There was a great deal of killing in the early days, but it was not as people generally imagine it. It was not done in a spirit of mischief, but usually where two fellows had a grievance, and decided to fight it out."

One of the early comers to Prescott was Ben H. Weaver, who came to that city with Secretary McCormick upon the latter's return to Arizona from a visit to California, in 1865. Mr. Weaver was born in Palmyra, Michigan, in 1837. When he was fourteen years of age he was apprenticed to the printer's trade, and was connected with Michigan newspapers for about four years. He tried farming in Illinois for about three years, and then returned to Michigan. In the year 1859 he started with horse teams with the intention of going to Pike's Peak, but changed his plans and kept on through to California. In 1860 he went to Virginia City, Nevada, but returned to California and, in 1861, enlisted in the California Volunteers, being assigned to the quartermaster's department, and travelling

through Arizona and New Mexico to the Rio Grande.

In the fall of 1862 Mr. Weaver returned to California and took a contract for carrying the Government and military mail across the desert for a hundred miles to and from Yuma. After one year in this service he became connected with the "Wilmington (Cal.) Journal," where he stayed for about a year. As above stated, he came to Arizona with Secretary McCormick in 1865, and then took a position on the "Arizona Miner," the first newspaper published in the Territory of Arizona. After working on this paper for about a year, he commenced farming in the Chino Valley, but soon afterwards, with John H. Marion, purchased the "Miner," retaining his interest in that paper until 1874, when he established a general merchandise store on Montezuma Street in Prescott, in which enterprise he was successful for fourteen years, after which he became connected with the transfer and freighting business.

During his early life in Arizona Mr. Weaver had many experiences with the Indians. He had one fight with them while he was farming in the Chino Valley when the Indians ran off his stock. With five neighboring ranchers he pursued the Indians and succeeded in putting them to rout. On another occasion, while engaged in freighting between Prescott, Mohave and Ehrenberg, in the year 1867, one of his wagons broke down. Its load was transferred to another wagon, and the driver of the broken-down wagon was directed to return to Mohave, the starting point. This driver was overtaken by the Indians and murdered, and four of his six mules killed. Another time while accompanied only by his partner, Mr.

Adair, each driving a wagon, one of the wagons broke down, and Mr. Weaver stayed alone with the broken-down wagon while Adair went for assistance. This happened in Bell's Canyon, and the pioneer freighter, Freeman, who has been mentioned in these pages, came along shortly afterwards and soundly berated Mr. Weaver for his indiscretion in staying alone. This was soon after Freeman's fight with the Indians in Skull Valley.

Mr. Weaver held many positions of trust, among them being those of coroner, county supervisor, and school trustee. He was married in 1868 to Miss Caroline Stephens, who came to the Territory in 1864 with her parents. This union was blessed with five children, one son and four daughters, who are still living. Shortly after the birth of the first child Mrs. Weaver, hearing a noise in their yard at night while Mr. Weaver was at the printing office, and thinking it was Indians, took the child on one arm, and with a revolver in the other hand, and a candle, went into the yard to investigate. Mr. Weaver arriving about that time, found his wife, as described above, searching for Indians. Instead of Indians they found a burro which had caused the alarm. I recite this simply to show the terror which the Indians inspired in the minds of all the early settlers. Had it been really Indians Mrs. Weaver's life would have paid the forfeit of her rashness.

Mr. Weaver had the misfortune to lose his wife in the early part of the present year. He is still a resident of Prescott.

Probably the earliest mercantile establishment in Arizona was that of Geo. F. Hooper, which was established in Arizona City, now Yuma. An

account of the establishment of, and changes in this business has been furnished me by James M. Barney, a resident of Phoenix, and a nephew of Col. James M. Barney, formerly one of the members of this concern. This account is as follows:

"One of the early business houses of Arizona City was the mercantile establishment of George F. Hooper, first established in the year 1851, when much travel to the California gold fields passed by that place.

"The business continued to expand from the start until—besides the original founder—the firm was represented by the following partners: Francis J. Hinton, Maj. William H. Whiting, James M. Barney and John S. Carr.

"On December 1st, 1868, George F. Hooper sold out his interest to his partners, the firm name then becoming Hinton, Hooper & Co., and so continued until May 1st, 1869, when Hinton withdrew from the partnership, which then became known as Hooper, Whiting & Co. Under this partnership Maj. Hooper looked after the firm's interests at San Francisco, Gus Whiting after its business in New York, Jim Barney was in charge at Arizona City, while Johnny Carr looked after its Arizona branches, which were then established at Fort Yuma on the California side of the Colorado, at Maricopa Wells, Sacaton, Sweetwater, and Camp McDowell.

"On August 15th, 1871, the firm established a large branch wholesale and retail house at Ehrenberg on the Colorado, under the management of Col. Barney. At this place they were agents for Wells, Fargo & Co.'s Express; Peter Doll being the clerk in charge. In December of 1871 it also contained the postoffice, when Col. Barney was appointed to succeed Joe Goldwater as



Hooper, Whiting & Co.'s. Store, Yuma, Arizona, 1866.





postmaster. At the same time Johnny Carr was appointed postmaster at Arizona City.

"On October 2nd, 1871, Whiting disposed of his interest in the firm and retired, the remaining partners taking over the business and conducting it as formerly, with Major Hooper at San Francisco, Col. Barney at Ehrenberg, and Johnny Carr at Arizona City. On September 13th, 1873, Carr withdrew from the business, which was continued by Major Hooper and Col. Barney, without change.

"On September 1st, 1875, Major Hooper retired from the firm, which he had joined in May, 1866, the business being continued as formerly by the last of the partners, under the firm name of 'James M. Barney.'

"Referring to this last change in the firm, the following item appears in the "Alta" of San Francisco:

" 'The business of William H. Hooper & Co. will hereafter be conducted under the name of James M. Barney, the member of the firm who has had, for several years, the sole management of the Arizona end of the business, which has been represented in this city by Major Hooper.

" 'Colonel Barney is popularly known through the Territory and is a business man of much ability and enterprise, and backed up by ample means to conduct a large business. The withdrawal of Major Hooper does not impair the capital of the business, nor is any curtailment of its enterprise contemplated. The dissolution of copartnership has been the result of an expressed desire on the part of Major Hooper to retire into a less active life than the one in which he has been successfully and honorably engaged for

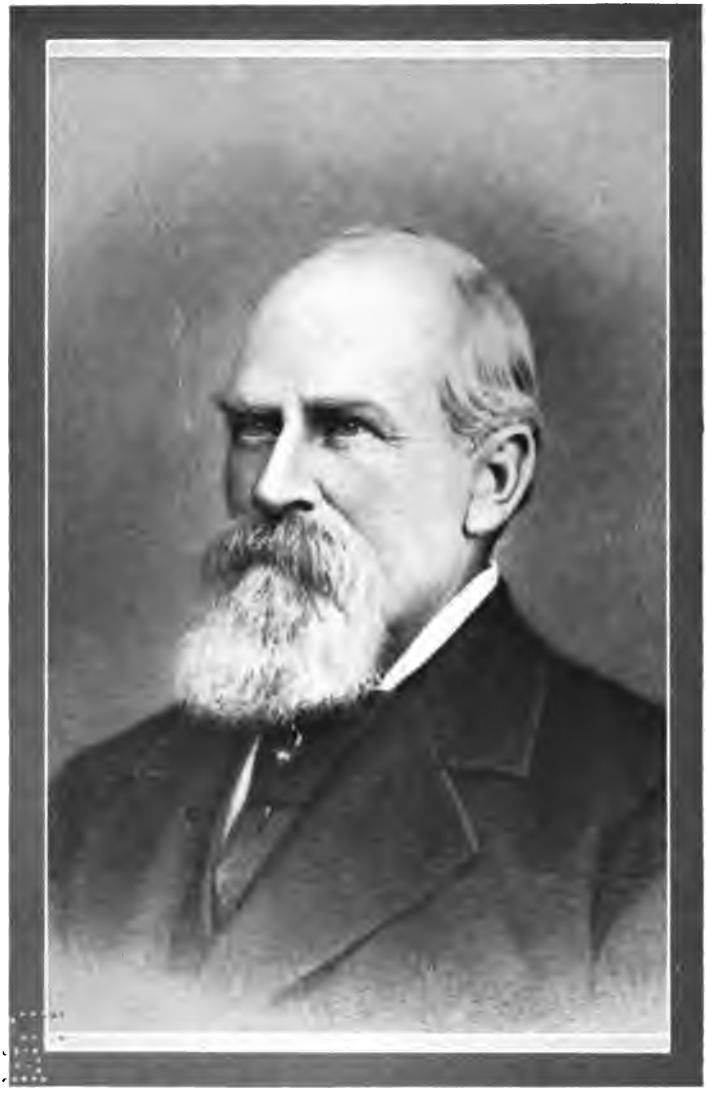
so many years. The name of Hooper & Co. is taken down, after twenty-four years of most honorable service in the interest of the Territory, without ever having had the slightest blemish. Col. Barney, in continuing the business under his own name, succeeds to its good reputation and prosperity with every prospect of continued good fortune. He has acquired a handsome fortune in the business during the last ten years, which now strengthens his resources.'

"George F. Hooper, the founder of this historic business house, after his retirement from the business became President of the First National Gold Bank of San Francisco, while Major Hooper erected the famous hostelry known as the Occidental Hotel on Montgomery Street, in that same city.

"About the middle sixties a well supplied branch store was started at Maricopa Wells, where Carr, Barney, and Hinton were in charge at different times. Prior to this period the Wells had been in possession of John B. Allen, a well-known pioneer. In 1868, when Barney was in that section, he laid out the first direct road across the desert from Florence to the Salt River, over which the firm's freight from that settlement to Fort McDowell was hauled. The Arizona Eastern railroad now traverses almost the same stretch of country."

It will be remembered that the town of Colorado City, afterwards Arizona City, and finally Yuma, was claimed by California and by Arizona, but it can safely be said that Hooper & Co.'s store was the first American mercantile establishment in what is now the State of Arizona.





E. N. Leish

Edward N. Fish, who is mentioned in this chapter, was a '49er, who subsequently came to Arizona and made the Territory his home. In 1849, with forty Massachusetts men, Mr. Fish sailed from New Bedford on the "Florida," and rounded Cape Horn, finally arriving at San Francisco. After several years of varied occupations in California, Mr. Fish, in 1865, came to Arizona, and became a member of the firm of Garrison & Fish, post traders at Calabasas. After about a year Mr. Fish removed to Tucson, where he established a large general merchandise store. In addition to this business, he engaged in the cattle business and milling, and in order to meet the need of a reliable freighting system, he established a freight line between Yuma and Tucson, and other parts of Arizona. Mr. Fish also maintained a branch store at Florence, where he transacted a very large business. In the early days of California he was a member of the Vigilance Committee there. After coming to Arizona he was, for eight years, a member of the Board of Supervisors of Pima County, for most of which time he was Chairman of the Board.

Mr. Fish was twice married, the first time in 1862 or 1863 to Barbara Jameson, in San Francisco, the result of this union being two children, one of whom is still living. His second marriage was to Maria Wakefield, in 1874, in Tucson, Miss Wakefield having the honor of being the first white woman married in Tucson, being also the first public school teacher in Tucson. From this marriage there were born four children, three of whom are still living. Mr. Fish died in Tucson on the 18th day of December, 1914.

## CHAPTER XIII.

### EARLY SETTLEMENTS (Continued).

WELLS AND OSBORN PARTY—BIOGRAPHY OF E. W. WELLS—SETTLEMENTS IN WILLIAMSON VALLEY, WALNUT GROVE, KIRKLAND VALLEY, PEEPLES VALLEY AND SKULL VALLEY—SHABBY TREATMENT OF SETTLERS BY THE GOVERNMENT—"MINER" EDITORIAL—FIRST MORMON SETTLEMENTS—HINES' DITCH—WOOLSEY AND MARTIN PURCHASE AGUA CALIENTE RANCH—TAKE OUT DITCH—BIOGRAPHY OF GEORGE MARTIN.

The Wells and Osborn party, of which E. W. Wells was captain, and John P. Osborn, James M. Swetnam, Joseph Ehle and others, were members, was organized in Colorado, and arrived in Prescott in July, 1864. Captain Wells remained in the Territory about three years, when he returned to the East. John P. Osborn was accompanied by his wife and seven children. Osborn had three or four ox teams, all loaded down with flour, hams and bacon, also a herd of cattle. Most of the cattle the Indians confiscated. Mr. Osborn sold the remainder to butchers in Prescott. When Mr. Osborn arrived at Prescott, bacon was worth seventy-five cents a pound, flour a dollar, and so on, which gave him quite a capital to commence business. As has already been stated, he built the first hotel in Prescott, and afterwards took a prominent part in laying out the city of Phoenix. He was born in Tennessee on the 25th of March, 1815, and was eighty-five years old at the time of his death.



JOHN P. OSBORN & WIFE.



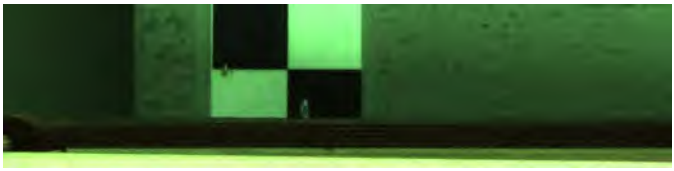








EDMUND W. WELLS.





His wife was born in 1820, on the 21st of January, and died in December, 1912. Both of them are buried in Phoenix, three sons surviving them, William, Neri, and John. His grandson, Sidney P. Osborn, is now Secretary of State of Arizona.

According to Mr. Neri Osborn, when the party arrived in Prescott, the only families in that country were Sanders and his family, and Leib and his wife, and the woman who followed King S. Woolsey from California, and afterwards married John Boggs. This was the first marriage in Prescott. The second marriage in Prescott was Mary J. Ehle to John H. Dickson.

Edmund W. Wells, who was born on a farm at Lancaster, Ohio, in 1846, a son of the captain of the Wells and Osborn party, accompanied the party, and drove the team belonging to his father across the plains.

Shortly after his arrival in Prescott, he, with his associates, under contract with the militarv authorities, supplied them with posts and timbers, taken from the surrounding pine forests, for building a stockade fort and corrals at Fort Whipple in the vicinity of Prescott. He was subsequently employed at the Fort as clerk in the Quartermaster and Commissary Department, and later was transferred to the Rio Verde Valley upon the establishment of Camp Lincoln, afterwards Camp Verde, at that point.

He became interested in farming and ranching in the new and only settlement on the Verde River and Clear Creek, under the protection of Camp Lincoln, but after two years he abandoned farming and again took a clerical position.

In 1867 he was appointed Clerk of the United States District Court for the Third Judicial District of Arizona, which position he held until 1874. He was elected and served two terms as Recorder of Yavapai County, and, in the meantime, during his leisure hours, studied law under Chief Justice William F. Turner, and also under Captain Joseph P. Hargrave, and was admitted to the bar in the Supreme Court of the Territory in 1875. Soon after the expiration of his term as Recorder, he formed a law partnership with Judge John A. Rush, a mining lawyer of prominence on the Pacific coast, with whom he was associated for fourteen years. He was elected and served two terms as District Attorney of his county, and several years as Assistant United States Attorney for Arizona, and, at two different terms, represented his county in the upper house of the Territorial Legislature. In 1887 he was a member of the Commission appointed by the Governor to review, revise and codify the Territorial Statutes. In 1889 he retired from the practice of law, but in 1891, was appointed, by President Harrison, Associate Justice of the Supreme Court of Arizona. During Governor Brodie's administration, Judge Wells was Attorney-General of the Territory, and in 1910, was one of the few Republicans chosen as Delegate to the Constitutional Convention.

In 1882, in connection with Hugo Richards, Sol Lewis, and W. E. Hazeltine, he became associated in the Bank of Arizona at Prescott which was the first organized Bank in the Territory, and is, to-day, one of the most prosperous banking institutions of the State, Judge Wells being its President.

From the start he was an active business man, always interested in stock-raising, mining and other enterprises, in which he was uniformly successful, and in which he has accumulated a competent fortune. In 1869 he was married to Miss Rosalind G. Banghart, a native of Ontario, Canada, and a daughter of George W. Banghart, a well-known pioneer. The result of this union is five children, three daughters and two sons. Two of his daughters are married, one living in Prescott, and one in Phoenix, Arizona. The third daughter is unmarried. One son resides in Yavapai County, and is engaged in mining, the other is engaged in business in Los Angeles, California, where he resides.

Through a long and active business career nothing has ever been charged against Judge Wells which reflected upon his honesty and integrity. He enjoys the friendship of a large circle of friends throughout the State. In 1912 he was the choice of his party, the Republican, for Governor, but was defeated in the election, the State going overwhelmingly Democratic.

Judge Wells, at the age of sixty-nine years, is still active in business, and is largely interested not only in mines in Yavapai County, but in real estate in the Salt River Valley.

In a degree he was identified with the early political history of the Territory in being chosen Assistant Secretary of the Council of the Territorial Legislature at its first session convening in Prescott September 26, 1864.

During the year 1865 there were settlements made not only along the Verde, but also in Williamson Valley, Walnut Grove, Kirkland Valley, Peeples Valley, and Skull Valley. These val-

leys were mostly named for the first settlers, except Skull Valley, which was named on account of a massacre of the Indians by the United States soldiers, which occurred in that valley before any settlements were made in northern Arizona. Settlements were also made at the Woolsey ranch, afterwards, and at present, known as the Bowers ranch, about twenty miles from Prescott. In all of these valleys there was more or less grain and other supplies raised. In 1865 and 1866, large crops were raised and harvested, and notwithstanding assurances had been made by the quartermasters of the United States troops that they would provide a market for the products of the farmers, the latter were left with their crops on their hands during these years. Although the government was paying twenty cents per pound for barley and corn, the most it would offer these farmers was ten cents. The consequence was that the farmers were compelled to sell their products at about a half of what the government was paying to others, and at an actual loss, because the losses of many of these ranchers of stock and crops taken by the Indians far exceeded the price realized for the remainder. This was in the era of reconstruction, just at the close of the war, when all those in authority seemed to think it was their duty to line their pockets as far as possible. On this subject, in an editorial dated January 26th, 1867, the "Miner" says:

"We have on several occasions alluded to the grain crop of last year with pride and pleasure. First the cause and effect. That the soil of our Territory is adapted to its abundant growth, and, second, that the ranchmen who have

planted, and risked their lives, are to be fully remunerated. This conclusion was based upon the fact that the government contracts to a large amount, probably one-half the production of Northern Arizona, were offered to our citizens at about sixteen dollars per hundred pounds. These contracts were used by our people and closed, I believe, in accordance with terms made here, and sent to California for approval. Subsequently, all the grain contracts were repudiated by 'red tape.' This we knew some months ago, but we could not understand how our people could be deprived of the sale of their grain until very lately, but it now appears very plain. Parties whose names we withhold for the present, are believed to be secretly interested in these affairs in California. The result is that crops of our farmers, now on their hands, are being sold at prices far below cost, while California grain is used for the supply of the military posts at prices far above what was ever expected to be realized by our farmers. These are truths, we are sorry to say, but think the remedy is not far distant. As matters now stand, there appears a great wrong, in fact, there are a series of wrongs. The Government, through its quartermasters, offered to buy the produce of our country, reserving the red tape right to back down on any unfair bargains. The next wrong is the going out of the Territory to purchase grain at all, at any price, while it is to be had here. What are our farmers here for? What in the name of common sense is the object of our government in sending a military force here? Is it not that our country, in order

to be valuable, may be developed and produce a revenue to the U. S.? Where are the hostile Indian tribes, and who or what class of men are doing most to bring about these great ends? Is it not our ranchmen? Who, more than our farmers, are the sufferers from Indian murders and raids? These questions require no answers at our hands. The wrongs and frauds practiced upon our government are getting too palpable and glaring to be longer concealed. It is time such things were ended. Let every man view the subject in one aspect only. Consider our public enormous national debt, for the payment of which every one is daily taxed, and then answer if the thieving upon our public treasury should not cease?

"We shall resume the discussion of this subject at a future time, and perhaps give some facts the people ought to know, especially in regard to the amount of produce raised in Arizona last year, with the prospects and demand for the crop of 1867."

Another difficulty was the distribution of supplies to the Indians. While Leihy was Indian Agent, he claimed that all these supplies were held up on the Colorado River for lack of money to pay transportation, and it was on this account, it is said, that the Indians under his charge revolted and murdered him. How it was finally adjusted, there is no record. It is by no means certain that the Indians at that time received any of the merchandise which Congress had voted them to the extent of twenty thousand dollars, and forty-five hundred dollars for freight. I wish to cast no reflection upon Mr.





Leihy. It may have been impossible for him to comply with the requirements of the Indians, but of one thing there is no doubt, that the position of Commissioner of Indian Affairs, notwithstanding the meagre salary of fifteen hundred dollars a year in greenbacks, was for many years a very lucrative office in Arizona. This will be fully demonstrated in future pages of this history, dealing with this matter.

According to the Fish manuscript, the first Mormon settlers came to Arizona in 1865. They came from Utah in January of that year, and located on the lower Muddy under the care of Thomas S. Smith. They, and others who soon followed, located the town of St. Thomas. The settlements of St. Joseph and Overton were soon after founded. On May 28th, Joseph Warren Foote was appointed to preside at St. Joseph. This place was partially destroyed by fire on August 18th, 1868. When this part of Arizona was cut off and added to Nevada, the assessor of that part of Nevada came to the settlements and demanded all the back taxes that had been paid by the people to Arizona Territory. The people produced their tax receipts, but this made no difference to the collector, who refused to accept them, and stated that all the back taxes should be paid to the State of Nevada, or the property would be sold for them. This, with the excessive amounts levied by the State of Nevada, decided the settlers to abandon the country, rather than fight the matter through the courts, so the settlements of St. Joseph, St. Thomas and Overton were broken up and abandoned. The wholesale exodus of some five hundred families

from the Muddy Valley commenced on the first of February, 1871. They had done a vast amount of work in the construction of irrigation ditches, and were cultivating about three thousand acres of land. A variety of fruit trees had been set out, with quite a large number of shade and timber trees, all of which, with all the buildings they had erected, were abandoned. The settlers scattered, some going to southern Utah, while a few, in a later period, came to Arizona, settling on the Little Colorado River. Mr. Fish states that he secured the above information from David Brinkerhoff, who had been one of the settlers on the Muddy, and he further states that Mr. Ninian Miller, of Snowflake, then a boy, was one of the settlers who abandoned the Muddy.

Other settlements were also made, notably one at Walnut Grove, where, according to the "Miner," for a distance of eight miles down the Creek, about five hundred acres had been placed under cultivation, and another at Postle's Ranch in the valley on the branch of the Verde River, twenty miles northeast from Prescott, three hundred acres were cultivated and a profit of twenty thousand dollars realized during the year 1866.

During this year, also, according to the Fish manuscript a man by the name of Hines took out a ditch about three miles above the present site of Fort Thomas. The government, however, paid for the making of the ditch. Hines took up some land on the bottom near where the post was located. He did this for the purpose of raising corn, hay, and vegetables to fill his

contract at Camp Goodwin. Hines and Hooker had about all the hay, grain, beef and freight contracts in this section. Hines did but little here in the way of farming. Camp Goodwin was vacated about 1870 on account of sickness, and Hines' ditch was abandoned at the same time.

About the year 1862 King S. Woolsey and George Martin bought the Agua Caliente ranch from a man by the name of Jacobson and his partner, for eighteen hundred dollars in gold. Around the springs, for some distance, was a kind of cienega, an oasis in the desert, where the grass grew green and fresh, and it was a favorite camping place for teamsters en route to Tucson and other points in the Territory. Woolsey and Martin were the first to take out a ditch on private account for irrigating purposes. This ditch is still in existence, and was afterward the subject of litigation between the widow of King Woolsey, and Neahr, which litigation will be treated fully further on in this history. The biography of King Woolsey has been given in a previous volume, and from members of his family and others I have been able to secure the following in regard to Mr. Martin:

George Martin was one of the earliest settlers of the Territory and identified to a great extent with its subsequent history. He was born in Loughrea, County Galway, Ireland, on the 4th of July, 1832, and received his education in his native land at the Jesuit schools and through private tuition. He came to America in 1851, and enlisted in the Second United States Infantry in New York, coming to California the following year. He remained in the army un-

til 1856, his knowledge of drugs gaining him the position of hospital steward. After his discharge from the army in 1856, Mr. Martin located in Yuma, assuming control of the sutler's store at that place, which position he held until 1859. When the placer mines were discovered at Gila City, he opened a general merchandise store, taking advantage of the need for supplies. After the war between the states broke out he went into partnership with King S. Woolsey on the Agua Caliente ranch, and at the end of three years disposed of his interest in the ranch to Woolsey. He then entered the employ of Hooper & Company at Yuma, having charge of their store there until 1872, when he established a drug business in Yuma, which he transferred to Tucson in January, 1884. He was a resident of that city until the time of his death. He was prominent in local affairs, serving as county supervisor and county treasurer of Yuma County, and also as city treasurer and member of the city council of Yuma.

While a resident of Yuma Mr. Martin married Miss Delfina Redondo, a daughter of Stevan Redondo, one of the leading men of Sonora, Mexico, and a member of an old Spanish family. To Mr. and Mrs. Martin were born eight children; one of them, Andrew, served in the Upper House of the second State Legislature of Arizona.

Mr. Martin died in Los Angeles, California, March 30th, 1907, and is buried in Tucson.

## CHAPTER XIV.

MINES AND MINING—POSSIBILITIES OF THE TERRITORY—RESUMPTION OF MAIL AND STAGE LINES.

EARLY PROSPECTING IN GILA COUNTY—DISCOVERY OF COPPER AT CLIFTON—CAPTAIN HARDY'S PROSPECTING EXPEDITION—MINING AT THE "VULTURE"—R. C. MCCORMICK'S OPINION AS TO POSSIBILITIES OF THE TERRITORY—RESTORATION OF MAIL AND FREIGHT LINES.

Although the first excitement created by the discovery of the placer mines in the vicinity of Prescott had somewhat died down, mining and prospecting were still carried on to a very large extent, not only along the Hassayampa and in Yavapai County, but in other parts of the territory. The first record I have of prospecting or mining in Gila County is given in the Fish manuscript, which states:

"The first man to explore and prospect in the vicinity of Globe was a man by the name of Stowe, and but little is known of him, for he was alone, and very reticent as to his doings. He visited old Camp Goodwin in 1864–65. He went to the camp for supplies, which the boys gave him. He was furnished provisions from the commissary, for at that time the government supplied any and all travellers who needed food, even though the parties had no money. This prospector made four or five trips to the Post, each time securing enough provisions to last about three months. He finally failed to put in a reappearance, and no trace of him or his gold

and silver mines has ever been found by white men."

In the Fish manuscript it is stated that the wonderful copper deposits at Clifton, which have made the mines in that place famous throughout the west, and placed them at the head of the list in the production of copper, were first discovered by soldiers on some of their scouting expeditions after the Apaches as early as 1865, although it is finally claimed that the real discovery was in 1870. The history of these mines will be treated farther along in these pages.

In 1866 a prospector reached Hardyville and displayed some rich specimens of copper and silver, creating much excitement among the residents of that place. Captain W. H. Hardy formed an expedition to go in quest of the silver mountain, which the prospector said was near the mouth of the Little Colorado. The party reached its destination but, failing to find the silver mountain, started to return to Hardyville. Near Cataract Creek the party was attacked by Indians, but escaped by flight, turning their mules loose; and some of the mules reached Hardyville before the men.

Much has been mentioned in a previous chapter of the discovery of the Vulture Mine, and this mine, as old residents of Arizona know, had some very varied experiences. After Henry Wickenburg, its discoverer, had managed to get the first ton of the ore packed into his camp in 1864, and ground, he sold to anyone who would put up an arrastra, the ore for $15 a ton, the buyer mining and sorting the ore himself. During the years 1865 and 1866, there were four mills built within less than one mile of the present town of Wicken-

burg; one a five-stamp mill, built by Charles Tyson, another a five-stamp mill built by Jack Swilling at the place where F. H. O'Brien afterwards owned a ranch; another a ten-stamp mill, and the fourth a twenty-stamp mill, half a mile above the present town of Wickenburg. This last mill was run two years when twenty more stamps were added, after which it was run until 1871. James Cusenberry built the twenty-stamp mill, and also added the twenty more stamps. He turned the management over to a man named Sexton, who ran it into the ground, and was over one hundred thousand dollars in debt in Arizona in 1871, when he had to close down. C. B. Genung, says that it is hard to tell how much the Vulture owed in California at that time, and that it is doubtful if any of the debts were ever paid.

The ten-stamp mill was owned by Wm. Smith, Fritz Brill and others, and was moved from Wickenburg to a point about thirteen miles down the Hassayampa, in order to get wood, as the wood had all been consumed near the town. This mill was run until 1878 and 1879, when Smith & Company sold out, their claim and hold on the Vulture reverting to James Seymour of New York, who had bought the old Wickenburg interests. Seymour employed James Cusenberry to superintend the working of the property, and he moved twenty stamps of the old mill down to a point on the river about eleven miles below, and the twenty stamps were run at the place which was called "Seymour" for nearly a year, when a man named Shipman was put in charge. Instead of moving the other twenty stamps to Seymour, he advised the building of a larger mill at the mine and pumping the water from the river to it.

The result was an eighty-stamp mill, and a seventeen mile pipe-line to it. It was not worked to any extent until 1912, when the property passed to a Canadian company.

R. C. McCormick, the Secretary of the Territory, afterwards Governor, and then delegate to Congress, probably did more for the advancement of the Territory than any other one man. He was enthusiastic as to the possibilities of Arizona, as more than one of his letters to the eastern papers are evidence.

In a previous chapter I gave one of his letters to the "New York Tribune," which was designed to give publicity to the Territory. Mr. McCormick was not only an enthusiastic believer in the possibilities of Arizona, but was a student of national affairs, as the following letter, dated June 20th, 1865, will show:

"To the Editors of the Journal of Commerce:

"Your editorial headed 'Safety Valves for Superfluous Pugnacity,' suggests a matter worthy not only of the consideration of our now unemployed volunteers, but also of the government.

"Just as California offered a safety valve for the superfluous fighting element of the country after the Mexican War, so the territories which have recently been proved to be equals of California in metallic wealth, offer the desired opportunity for working off the excess of pugnacity which survives the great Rebellion. We do not mean to say that the discharged soldiers who migrate to the territories will have much fighting to do. There will be a taste of it occasionally in scaring off the hostile Sioux, Pah-Utes or Apaches. This, with hunting and other wild sports, will enable them to keep up something of their

rifle practice. But the excitement of the territorial life will consist principally of prospecting for, and working mines, and contending with the natural difficulties of the new and almost unexplored land. As the chances for making a fortune will be great, so the obstacles to be overcome will be forbidding to all but strong arms and hearts such as American soldiers have carried through the four years war. There could have been no better school than this work to educate men to grapple with the problems of a miner's life.

"The mineral bearing territories undoubtedly offer a wide and tempting field for those who by reason of their work and experience will regard the common occupations of life as monotonous. Primarily they represent a climate unsurpassed in the world for its salubrity, and with which that of any portion of the nation where our armies have operated is unworthy of comparison. If compelled for months, or even for years, to live in the open air, it will be to the benefit rather than to the injury of the physical condition. The certainty of fine weather gives not only a pledge of life and longevity, but a facility for active and continuous labor unequalled in the States. For a time in some quarters there will be a fine field for pugnacity in fighting the hostile Indians and the excitement in hunting and trapping, but, as you aptly put it, 'the excitement will consist principally of prospecting for and working mines and contending with the natural difficulties of the new and almost unexplored lands.'

"This is the life, stirring, unrestrained and with great risks to be taken, and great chances

for gain, that our irrepressible volunteers will seek if there is no further need of their services in the army, or no well and properly organized movement against Maximilian.

"All of the territories present inducements for migration, but the pressure will naturally be toward those presumed to be richest in the precious ores. Every emigrant means to be a miner until he finds that he can do better at something else. Arriving where quartz preponderates, and the placers are uncertain in their yield, he will find it difficult to accomplish much on his individual account unless possessed of large means. Quartz mining is not a business adapted to the poor man, except as affording him wages for his labor. As capital opens the ledges and puts machinery upon them, as the mines are worked with system and extensively, the territories will become a market for unlimited labor at the best rates.

"There is, however, no greater mistake than the idea held by many that if one has no capital to work a mine, or no disposition to labor for another in the same, he can do well in a mineral region. A moment's consideration must make it apparent that for all trades and callings, for all classes of labor, the payment is in proportion to the settlement of the country. Where there is a growing population, shoemakers, butchers, bakers, blacksmiths, and carpenters, are as much needed as miners, and may generally accumulate wealth as rapidly.

"The territories besides offering cheap, wholesome and profitable homes to our disbanded soldiers of all trades and tastes, present a field of occupation and development which will be a na-

tional service and blessing. Next to fighting for the preservation of the Nation, what can be more patriotic and praiseworthy than earnest, energetic, enthusiastic efforts to provide for a speedy payment of the war debt, and the substantial prosperity of the Republic?

"The extent of the mineral wealth of the territories as already known, is beyond calculation, and in several of them, prospecting for lodes is partly begun. A district of Arizona nearly as large as the State of Pennsylvania is yet unexplored, while tradition designates it as richer in gold than Havilah or Ophir. Every day affords new proof of the greater metallic and agricultural resources of our Pacific possessions. The story of their aridity and worthlessness, long a popular belief, is no longer credited. The harvests of precious areas and of the fruits of the arable soil have spoken for themselves. Their value is not more surprising than the time at which they are forthcoming—the hour of the national necessity. Properly directed and encouraged American enterprises and industry will speedily sweep away the national debt from sources which but a few years since would have been thought barren and unproductive. There is every reason why our discharged soldiers should go to the territories, but it is my apprehension though, that but a few comparatively will reach there at an early day unless by the interposition of government. The cost of the journey by the usual means of travel is too great for the volunteer, however prudent he may have been with his pay. Private expeditions may, in instances, afford economical transportation, but to insure the extensive and immediate emigration which is de-

sirable, not only for the unemployed thus to have the benefit of the territories and of the whole country, government must take action. In a letter to a contemporary journal I have dwelt upon this matter as one of great consequence and eminently proper. At a cost of five million dollars, or less, I assume that one hundred thousand of the discharged volunteers may be sent to the territories, even to the Pacific. In what way, I ask, can the general government expend five millions of dollars in a manner more likely to bring quick and ample return to the national treasury than in making such a large and valuable addition to the population of the territories? Let this be done and there will no longer be a demand for troops to keep off hostile Indians or for money to build roads and to make other improvements. As a matter of reward for faithful service; for provision for the health and prosperity of those who merit every recognition and respect, and of political sagacity and economy, it commends itself to the attention of the government.

"In this connection may I plead for a more intelligent and liberal consideration of the Territories in all their relations upon the part of our representatives in Congress, than has hitherto been given? None but those who have experienced the obstacles and discouragements arising from illiberality at Washington can realize what the Territories have had to contend with. It was more than a year after the organization of Arizona before there was a mail route or postoffice in the territory, and at this writing but a small part of the Territory is in the enjoyment of a mail service. The men who, at the risk of their lives and with great labor, took

the census early in 1864, have not yet been paid. No appropriation for a territorial library, especially needed at the beginning of the government, has yet been made, and the courts and the Legislature have met without even a copy of the United States Statutes before them. The most inadequate provision has been made for protecting settlers against the Apache, ever active and barbarous in his hostility. Until within the present month there has not, from the hour of its recognition, been a regiment of troops stationed within the Territory, which is three times as large as the State of New York. A reasonable appropriation for the improvement of the navigation of the Colorado River, the great highway of communication from the Pacific, not alone with Arizona, but with Utah and the other northern Territories, and one of the most important rivers upon the continent, was denied by the late Congress. Such negligence and littleness ill becomes a great and successful government, and is not at all in accordance with the spirit and desire of the people.

"The territories are worthy and should command prompt and liberal and encouraging legislation on the part of Congress, and the best treatment in the departments. The encouragement given them while yet in their swaddling clothes will be returned a thousand fold. No bread ever cast upon the waters will come back more speedily or more abundantly. While the nation was involved in an extensive and trying war there may have been some excuse for inattention to the territories. Now there is none, and the people should see to it that their representatives in all branches of the government are active and

generous in their care for the broad domain, the development of which will be a crowning glory of the times, and a lasting one to American enterprises.

"I am your obedient servant,

"R. C. McCORMICK,

"Secretary of the Territory of Arizona,"

As stated in a previous chapter, the Overland Mail was discontinued in 1861, when the property of the company was forcibly taken possession of by some of the states through which the line ran, notably the State of Texas; such property of the company as could be controlled, was moved to the northern route via Salt Lake, and Arizona was left without mail or any public facilities for communicating with the outside world for several years. The first public mail that reached Tucson after the Civil War, came from California on horseback, arriving September 1st, 1865, and the first through mail from the eastern states, Barlow, Sanderson & Company, arrived in Tucson August 25th, 1866.

My authority for the above statement is Sydney R. DeLong, who came to Arizona as a member of the California Column, and who was for many years, and until the time of his decease in 1914, a citizen of Tucson, and prominent in political and mercantile history.

Of the mail service and stage lines, Fish, in his manuscript, has the following to say:

"For a year after the organization of its government, the Territory was without a mail route or a postoffice. Letters were carried by the courtesy of the military officers. The transit was not very rapid. One instance was that of a

letter mailed in New York October 3d, which reached Cerro Colorado, May 31st of the following year. The express carriers had been the main and about the only dependence whereby the people could communicate with the outside world, but with the close of the Civil War, many changes were made, and especially in the matter of mails. Finally mail service was established, and on September 1, 1865, the first locked mail sack in four years reached Tucson on horseback. Buckboards were put on shortly afterwards to carry the mails regularly, and in a few months the stage line was re-established."

Although the people of Arizona were for a long time cut off from public mail and passenger service, the freight business was continued, as it had of necessity to be, but the residents of the Territory paid heavily for all supplies which were brought into the Territory. The "Miner," in 1866, says that transportation of supplies via the Colorado River and La Paz cost sixteen cents a pound, and occupied at least ninety days, and that via Wilmington, and from thence overland, it cost seventeen to twenty cents a pound, but the time was greatly reduced, it only taking from thirty to forty days to freight the goods. This, of course, applied only to the town of Prescott.

## CHAPTER XV.

### THE CATHOLIC CHURCH IN ARIZONA.

No Protestant Churches in Territory in 1866—Resumption of Labors by Catholics—Arrival in Arizona of Bishop Lamy—Visits Prescott and Tucson—Commencement of Churches in Tucson and Yuma—Establishment of School at San Xavier—Removal of Same to Tucson—Commencement of Schoolhouse for Sisters of St. Joseph—Dangers from Indians.

In 1866 there were no regular Protestant churches. Intermittently there were services held in Prescott by the chaplain from Fort Whipple, but there was no organized church. The Roman Catholics were the only denomination actively at work in Arizona. Their priests in Arizona, as elsewhere, were the heralds of the Christian faith. They braved all dangers from the Apaches and, taking their lives in their hands, went forth as true missionaries to propagate the Christian faith. As we have seen, their missions were, to some extent, abandoned at the commencement of the Civil War, or soon after they were established. The following account of the resumption of their labors from Bishop Salpointe's "Soldiers of the Cross," written by the Archbishop of Arizona, describes the early activities of the church in the Territory:

"On the 26th of October, 1863, the Right Rev. Bishop Lamy, who had already procured two Jesuit Fathers from California for the missions of Arizona, started from Santa Fe with one of his priests, the Rev. J. M. Coudert, in order to

pay a visit to these missionaries, and to see the principal settlements of the Territory. From Albuquerque he took the northwestern direction for Prescott, visiting at the same time the Parish of Cebolleta, the Pueblo of Zuni, and other places in western New Mexico. The Bishop reached Prescott toward the middle of December, and remained in the neighborhood until after Christmas Day. From there he went by Fort Mohave to Los Angeles, where he spent a few days with the Right Rev. Bishop Amat, and thence started for Tucson by the way of La Paz, Weaver, Salt River, and Maricopa Wells.

"The inhabited districts of what has since become the growing city of Prescott were then only small mining camps; Weaver was a gold placer worked by a few Mexican men; still there was activity everywhere, and the miners looked contented and entertained great hopes for the near future. The Bishop and his priest reached Tucson on the 19th of March, just in time to spend Holy Week in that town. They found generous hospitality, the Bishop in the house of W. S. Oury, and Father Coudert in that of Don Juan Fernandez.

"The two Jesuit Fathers already mentioned were the Revs. Mesea and Bosco, the former residing in Tucson and the latter in the San Xavier pueblo. They had succeeded Father Donato Rogieri, an ex-Franciscan, who was killed, with two of his companions, by the Apaches at the hot springs of Vado de Bigas in the State of Chihuahua, Mexico. This priest worked faithfully for about three years in Tucson and San Xavier del Bac. He laid in Tucson the foundations of the church which was afterwards the

pro-cathedral of the Vicariate Apostolic of Arizona.

"As the Jesuit Fathers had neither church nor residence of their own in Tucson, they remained only a short time after the Bishop's visit. The people have kept a good remembrance of their stay among them. The San Xavier Indians especially were formerly fond of speaking of Father Mesea as a man who pleaded their cause with their agent, to get from him the agricultural implements they needed, besides caring zealously for their spiritual welfare.

"In August, 1864, the Right Rev. Bishop of Santa Fe was informed that the Jesuit Fathers had been recalled by their Superior, and that Arizona was left without priests to care for the spiritual wants of its people. As the mission was considered a very dangerous one on account of the Apache Indians scattered all over its territory, the good Prelate felt reluctant to send to it any of his priests authoritatively. What he did was to express his desire that some of them would volunteer for it. Out of three who offered themselves for the distant and dangerous mission, two were accepted, viz: Rev. Peter Lassaigne and Rev. Peter Bernal. The third was kept back on account of two schools he was actually engaged in building in the parish of Mora, and which had not yet reached their completion. It took only a few days to have the two priests ready for their journey. The distance between Santa Fe and Tucson was six hundred miles. The half of it was travelled by stage without difficulty, but from Las Cruces, where they left the stage, the missionaries could not find any facility for going farther in the direc-

tion of Arizona. All travel had been stopped for fear of the Apaches who were reported to be roaming in that portion of the country. The priests offered a good sum of money for horses and a guide, but nobody would risk his life for the sake of any money. At last, after three weeks' waiting for an opportunity which did not present itself, the reverend gentlemen had to return to Santa Fe.

"The danger from the Indians between Santa Fe and Tucson was always the same; but time was going rapidly by, and the Bishop was growing more and more anxious every day for the portion of his flock which remained without priests. At this juncture the parish priest of Mora was reminded of the promise he had made the year previous of his services for the missions of Arizona. Bishop Lamy joined to him the Revds. Francis Boucard and Patrick Birmingham, and Mr. Vincent, a young man, as school teacher. The four were provided with saddle horses, and baggage and provisions. Thus equipped the small party started on their long journey in the afternoon of the 6th of January, 1866.

"Measures had been taken, as far as possible, for the safety of the missionaries. At the request of the Rt. Rev. Bishop, General Carleton, commanding Fort Marcy at Santa Fe, was kind enough to furnish an escort to the missionaries as far as Bowie, the limit of his department."

The journey of these missionaries to Tucson, as detailed by the Rev. Father, was one of great trial, endurance and danger, but they passed through the "Jornada del Muerto (the journey of death), through Cook's Canyon, and all the

danger points, under the escort of the military, and arrived in Tucson on the 7th of February, 1868, where they were hospitably received and entertained by W. S. Oury and Don Juan Elias.

A few weeks later Don Elias, with the help of some of his friends, purchased a house and lot in the vicinity of the place in which the church had already been commenced for the use of the missionaries. The house was enlarged at different times, and is now the priest's house.

Continuing, Bishop Salpointe says:

"On their arrival at Tucson the priests sent from Santa Fe took their destinations according to what had been determined by their Bishop, the Right Rev. J. B. Lamy. The Rev. J. B. Salpointe had been sent as parish priest of Tucson, with the faculties of Vicar Forane for the Territory; the Rev. Francis Boucard, as assistant priest of Tucson, and the Rev. Patrick Birmingham as parish priest of Gila City, the name of which has been changed since to that of Yuma. After a couple of weeks spent in Tucson, the Rev. J. B. Salpointe started for Yuma in order to put Father Birmingham in possession of the parish assigned to him by the Bishop. Meanwhile, Rev. Boucard remained in Tucson, having, at the same time, to attend to the San Xavier mission. The journey to Yuma was made on horseback, and mostly by night, in order to avoid the heat of the day. The distance was 300 miles. At about eighty miles from Tucson were seen numerous small villages of the Pima Indians, at a short distance from the Gila River.

"In 1866 Tucson numbered about six hundred inhabitants, almost all Mexicans. There was no other church but the small house spoken of be-

fore, which Father Machbeuf had used as a chapel at the time of his visit to Arizona in 1859. As already stated, a church had been commenced in the town by Father Donato Roghieri. The two Jesuit Fathers who succeeded this priest had some work done on the same building, but left it unfinished, the walls being only eight or nine feet high. The first care of the priest recently put in charge of the parish was to see how he could have the church completed. He found in the inhabitants a truly good disposition to help him in this work. Contributions were asked again and again, and what they brought was enough to have the walls of the structure raised to a suitable height. This was only the easiest part of the work. The real difficulty consisted in providing the building with a roof, and to think of purchasing the necessary quantity of lumber at twenty-five cents a foot, would have been simply thinking of an impossibility, as the people had already overtaxed themselves for the building of the walls.

"At the request of the priest a few men volunteered to go with their wagons to the Santa Rita Mountains, about twenty-five miles southeast of Tucson, to ascertain whether good timber could be had from there or not. On the appointed day five men, having the parish priest at their head, started for the mountains. The next day they reached as far as the road would permit, and from this point it could be seen that there were plenty of good pine trees, but all far up on the tops of the peaks, and no practicable way could be found to bring them down to where they could be loaded on the wagons. For this reason the expedition failed almost entirely,

though it was thought that another trial, with a suitable force of men, might prove successful. The wagons were loaded with whatever pieces of lumber could be cut in the vicinity of the camp, and the party moved at once for the return to Tucson. After consideration, the project of a new attempt in the Santa Rita Mountains had to be abandoned, as it would be too expensive to build practicable roads.

"In the meantime the warm season had broken out, and it was felt that the house thus far used as a church, was untenable during the holy offices. It became necessary to have a kind of temporary roof laid on the sanctuary of the new church, so that masses could be said early on Sundays with more comfort for the priests and for the faithful.

"On his return from Gila City the Rev. Salpointe went to San Xavier to install Mr. Vincent in the functions of school teacher for the Papago Indians. The school lasted only a few months, owing to the carelessness of the Indians in regard to the education of their children. The teacher was then removed to Tucson, where there appeared better prospects for a good school. Indeed, Mr. Vincent found there pupils enough to occupy his time. The only difficulty was that the school had to be taught, for a time, in the priests' house, which consisted of but one room 15 by 22 feet, and a little alcove. For about six months the room had to be used alternately as parlor and schoolroom, and sometimes as dormitory when the weather did not allow sleeping outdoors. The furniture of the priests' house comprised three chairs, a writing table, and a pigeon-hole case for papers, the whole of which

had been left in care of W. S. Oury by Father Bosco, for his successors. The bedding articles of the missionaries were as yet the blankets they had brought for camping out, and these could be easily rolled up and placed in the alcove for the daytime.

"Four months had elapsed since Rev. Birmingham had been stationed at Gila City, and nothing had been heard of him. The lack of a regular mail service was thought to be the explanation of this protracted silence, but at last news came that the priest had left his mission on account of sickness and gone to California in order to improve his health. This was a reason for the Rev. Salpointe to look for the first opportunity of a caravan, and to start for Gila City, leaving, as before, the Rev. Boucard in charge of Tucson and of San Xavier. He reached the mission on Sunday morning after seven days of travel, mostly on horseback. He said mass and preached as usual, but fell sick in the afternoon with chills and fever, a disease which very likely he brought from Tucson, where it prevailed, and which kept him four months in the locality. During this length of time the priest was given hospitality and all possible care in the house of Jose M. Redondo, one of the principal citizens of the place. The missionary thought seriously that he could not get over the sickness, which was increasing in him every day, and had no desire but an opportunity of making his confession and receiving the last sacraments of the church before departing from this world, but he could not even entertain any hope for such a blessing, as he was separated from all priests by

300 miles of dangerous roads, almost without communications.

"At last the fever subsided, and, after a short convalescence, the priest was able to leave on horseback for a visit to La Paz, an inhabited place about seventy-five miles above Gila City, on the Colorado River. During his stay at Gila City the Rev. Salpointe had a flat roof put on a small church, the walls of which had been built by the people at the request and under the direction of the Rev. Birmingham. The population of this locality was about 1,000 inhabitants. The town owed its start to the discovery of gold placers, made in May, 1854, at Laguna and at Picacho, fifteen and twenty miles, respectively, from the town. The first settlers of this part of the country, after the discovery of the placers, were the Redondo and the Contreras families, who had already worked in the California mines.

"La Paz, which was founded at about the same time as Gila City, counted in 1866, a little over four hundred inhabitants. It had been a prosperous mining town, but, at the date just mentioned, the mines and placers were exhausted, and the people who remained there yet had to depend for their living mostly on cattle raising and cutting wood for the steamboats, which ran on the Colorado by the place, down to the Gulf of California.

"In 1867 was commenced, on the church block at Tucson, a schoolhouse which was to be occupied by the Sisters of St. Joseph. This building, as far as the walls were concerned, was put up in a short time with no more difficulty than for the walls of the church. Everyone contributed willingly, either money or work for the

school, as they had done for the church. But the trouble was, as for the church, to find means for the roofing of the house. Here, however, the church was greatly benefited by the school, as the inhabitants, irrespective of religious convictions, were all desirous of having the Sisters' school started as soon as possible. Nobody objected to the taking up of a new collection for the purpose of procuring lumber for the covering of church and school. This work was entrusted to a gang of eighteen men, who, for a stated price, took on themselves to go to the mountains and cut the necessary lumber wherever they could find it.

"The lumber was prepared in the Huachuca mountains, about eighty miles from Tucson, where there was an easier access to the pine woods than there was at Santa Rita. But, as a proof that the works of God must be tried in many different ways before success can be reached for them, there also arose another trouble. The lumber was ready, but wagons could not easily be procured to send at once for it, and the Apaches were only waiting for the departure of the workmen from their camp to burn the lumber that had been prepared. It became then necessary to look for wagons, and to send them before the coming of the workmen, to move the lumber a distance of twelve or fifteen miles to Camp Wallen, where it would be put under the care of the soldiers until some good opportunity could be found to have it brought to Tucson. This opportunity was offered by the firm of Tully & Ochoa, as soon as they had to carry provisions to Camp Wallen. The so

long wished for material was at last brought to Tucson towards the end of 1868, and delivered, free of charge, where it was needed. The church was covered first; as for the school the Sisters who were to take charge of it, could not come before May, 1870, and this delay gave plenty of time to complete their house before their coming.

"The life of the priests in Arizona, for some years from 1866, was one of hard work and privation. The frequent and long journeys in a country infested by wild Indians made it dangerous for them even to go a few miles out of their residence. Whenever the mail came in, it brought invariably the news of people having been murdered here or there by the Apaches, so that, when a journey had to be undertaken, one would think of it for days and weeks in advance, fearing that he might not come back to his home. This was expressed by a missionary who used to say: 'When I have to leave my house for a visit to the distant settlements of my missions, I write to my mother as if it were for the last time.'

"Speaking for himself, the writer of these notes, who, during the nineteen years he spent in Arizona, had to travel in all directions through the Territory, always experienced a kind of painful apprehension for a few days before starting on a long journey, though he must say he had never any trouble from the Indians in Arizona. He saw their tracks on the road; he was told once by a mail carrier that he (the missionary) had been followed by the Apaches two nights and one day, but was not attacked, very likely because he was known to the savages,

who did not wish to kill him, but were looking for an opportunity to steal his horses without being noticed. Other missionaries, and especially Rev. Boucard, found themselves in great danger; still none of them had to suffer by it since 1866. Indeed, they must acknowledge that there has been a special Providence watching over them.

"At home the priests were safe as regards attacks from the Apache Indians, but they had sometimes to fight against poverty. The country was very sparsely settled, poor, and desolated by the incessant raids of the savages, and in many localities, by the scourging shaking fever.

"This disease was not new in the country; it was mentioned in 1762 by the author of the 'Rudo Ensayo' under the name of the 'vomito amarillo,' as the plague of the province of Sonora, except along the Gila and Colorado rivers. 'This,' says the same missionary, 'must not be assigned to the climate, which is dry and good, but to the bad condition of the water the inhabitants had to make use of for drinking purposes, which comes generally from swampy places, and runs by shady bottom lands where it must take noxious substances.' Against the disease Father Och used with success the bark of the orange tree, made dust, and taken in a cup of 'atole,' or cornmeal.

"This disease, or the shaking fever as it was called, later, was brought and propagated into Arizona in 1866 by the coming from Sonora of many poor people who fled from their country on account of the war after the intervention of France. The places which suffered most from

this fever were Tucson, San Xavier, Tubac and the San Pedro settlements. From 1869 the plague abated sensibly, so that in 1870 there were only some scattered cases of it. It is useless to say that during the three years of the disease, the work of the priests was almost incessant, either for sick calls or for accompanying the dead to the graveyard.

"The people were generally inclined to help their priests, but knowing the circumstances in which they were, the missionaries refrained from asking anything for themselves, except when it was absolutely necessary. Those located at Tucson had for two years to depend for their personal expenses mostly on what they had saved of the money they had received from their Bishop for their journey to Arizona. It must be said, though, that these priests were not extravagant in their way of living. Very often they cooked for themselves; for beds they had the clay floor of their room or of the yard, and the blankets they had brought from New Mexico. When they had to visit the scattered settlements, it was necessary for them to wait until some other people would have to travel in the same direction, as they could not afford, many times, to hire a man to accompany them. The scarcity of material resources was felt especially, even later, by the priests who had to start new missions."

# CHAPTER XVI.

## EARLY SURVEYS.

ARIZONA MADE PART OF SURVEYING DISTRICT OF NEW MEXICO — DEPUTY SURVEYOR PIERCE MAKES CONTRACT FOR SURVEY OF CERTAIN LANDS—SELECTS "INITIAL POINT"—MILITARY PROTECTION WITHDRAWN — WORK ABANDONED — PIERCE RECOMMENDS SUBDIVISION OF SALT RIVER VALLEY—ARIZONA ATTACHED TO SURVEYING DISTRICT OF CALIFORNIA — CONTRACTS FOR SURVEYS MADE WITH WILFRED F. INGALLS AND GEORGE P. INGALLS—FIRST APPLICATION FOR PRE-EMPTION OF HOMESTEAD LAND BY JOHN B. ALLEN.

Under the act organizing the Territory of Arizona, it was made a separate surveying district, and Levi Bashford was appointed the first Surveyor-General. On the 2d day of July, 1864, Congress passed an act attaching Arizona to the Surveying District of New Mexico, then presided over by General John A. Clark, and making provision, at the same time, for the carrying on of necessary surveying operations within this Territory. On the 15th day of December, 1866, General Clark entered into a contract with Deputy Surveyor William H. Pierce for the survey of certain lands in Arizona, for a sum not to exceed seventy-five hundred dollars. Commencing at the "Initial Point," which Deputy Surveyor Pierce was instructed to select for the starting-point for Arizona surveys, and which consisted of a substantial monument of stones, eight feet in diameter at the base, four feet

around the top, and eight feet in height, which stood upon the summit of a conical hill some 150 feet in elevation, on the south side of the Gila, opposite the mouth of the Salt, in latitude 33° 22′ 57″ north, and longitude 120° 18′ 24″ west, Mr. Pierce pursued his work until the military protection was withdrawn, and he was compelled to quit the field. General Clark was the first to recognize the suitableness of this "Initial Point," for the initiation of the Arizona surveys, and touched upon the matter in his official report of 1865. Joseph S. Wilson, then Commissioner of the General Land Office, replying to the various suggestions contained in that report, thus wrote to General Clark on September 11th, 1866:

"As it is deemed expedient to initiate surveying operations in the Territory of Arizona, the recommendation made in your report to this office, under date of May 24, 1865, suggesting that the monument erected in 1851 by the Mexican Boundary Commission, situated at the confluence of the Gila and Salt Rivers, be used as the initial point, is concurred in by this office; from that point you will establish the base and meridian lines for the public surveys in Arizona, calling this special meridian by the name of the Gila and Salt River Meridian."

With one or two exceptions, all of the public surveys in Arizona are initiated from this point, which lies within the present boundaries of Maricopa County.

Deputy Surveyor Pierce performed most of his work during the month of January, 1867, and among his assistants were Andrew Napier, Robert Johnson, Albert Ashley, Charles H. Gray,

Jesse Wilsey, and George Henderson, all of whom took an oath for the faithful performance of their duty before John H. Archibald, at Tucson, then Clerk of the First Judicial District, comprising the county of Pima. In describing the country along the Salt River, near which some of his lines extended, Deputy Surveyor Pierce wrote as follows:

"Salt River is, at this season of the year, at least, a large stream, nor do I think that it entirely dries. It has, moreover, a very heavy fall of, I should think, twelve to fifteen feet to the mile, which renders it especially valuable for irrigation. I consider this valley—six to ten miles wide, and extending from its mouth upwards to the mountains about forty miles—as containing some of the best agricultural land I have yet seen in the Territory, and would recommend that it be subdivided at an early day."

As these observations were made in January of 1867, the possibilities for irrigating this valley were thus definitely noted almost a year before the first settlers arrived.

Surveyor-General Clark, in his report dated July 19th, 1867, to Joseph S. Wilson, Commissioner of the General Land Office, said:

"A contract was entered into with Deputy Surveyor William H. Pierce on the 15th day of December, 1866, for the survey in Arizona of 96 miles of the Gila and Salt River Meridian; 36 miles of the base line and standard and exterior township boundary lines, to amount in the aggregate to a sum not exceeding $7,500. Mr. Pierce completed the survey of the meridian from the initial corner north 24 miles, the base

line from the same corner east 36 miles, and the first standard parallel north along the south boundary of township 5 north, east 42 miles, and west 42 miles, when the military protection which had been furnished him was withdrawn, and he was compelled to quit the field, the Indians infesting the country, rendering it unsafe and impracticable to continue the work without a military escort. At his request, and by your order, Mr. Pierce has been released from further obligation to prosecute the work under his contract."

Under an act of Congress approved March 3d, 1867, the Territory of Arizona was attached to the Surveying District of California, and on the 29th of March, 1867, all the original archives in the Santa Fe office, relating to the surveying service in Arizona, were transmitted to the Surveying District of California, then under the supervision of General L. Upton. The constant demand of the settlers in Arizona for the survey of their lands induced General Upton, soon after assuming charge of the Arizona district, to let several contracts for that purpose.

In the land to be surveyed under these early contracts was included the greater portion of the Salt River Valley. Three separate contracts were entered into by General Upton for the performance of this work; the first with Wilfred F. Ingalls, bearing date the 18th day of February, 1868; the second with George P. Ingalls, bearing date the 29th day of February, 1868, and the third, called a joint contract, was with both of the above named, and bore date of July 10th, 1868. Each of the above contracts was for the sum of seventy-five hundred dollars.

Wilfred F. Ingalls was a brother, and George P. Ingalls, a cousin, of the Hon. Frank S. Ingalls, who, for many years, and up to a few months ago of the present year, 1916, was United States Surveyor-General for the District of Arizona.

After being awarded these contracts the Messrs. Ingalls, who then resided near Oakland, California, had a wagon especially constructed for use in the work contemplated; one of the principal features of which was a box-like compartment built in the rear for the carrying of firearms to be used in case of attack by roving bands of Indians.

Before leaving San Francisco, General Upton had arranged with General McDowell for a military escort to protect the party in their surveys. They arrived in Yuma in due time and, after having their outfit overhauled at the shop of Chris Horner, the well-known blacksmith and wheelwright, they continued up the Gila, along the overland road, with Maricopa Wells as their destination.

They made no request for a military escort befor leaving Yuma, where the 14th Infantry was stationed, but made the journey along the Gila accompanied only by a few men. Upon reaching Maricopa Wells, the Messrs. Ingalls established their headquarters at that place, which was, at that time, the most important station between Arizona City (now Yuma) and Tucson.

The two deputies conducted their surveying work in the Salt River Valley under many difficulties, the Indians stealing several horses from them, and retarding the progress of their work. At the close of the day's labor the party of sur-

veyors would make camp near the river, where the only available water supply could be found, and, after they had disposed of their evening meal, would extinguish the camp fires and in the darkness would move the entire camp to higher ground in order to mislead any prowling Indians who might have marked by their fires, the location of the river camp. Observing this precaution at all times, no open attack was made upon the party.

On the 27th of March, 1868, Deputy W. F. Ingalls commenced the work of subdividing the township around the Phoenix settlement, completing the same on the 4th day of April. From April 8th to the 16th, he sectionized the township to the east, in which the city of Tempe is now located. During the performance of this work his principal assistants were Robert Bryant, Thomas L. Taylor, Faustino Gonzales and Antonio Espinosa. Deputy G. P. Ingalls, with his party, consisting of Edward Livingston Bridges, Ridgely Tilden, Canuto Soto and Louis Ganalo, the first two coming with him from California, was also at work in the vicinity. Bridges was later killed in Nevada. It is said that Ridgely Tilden, some years ago, was still a resident of Arizona, living somewhere around the Globe country.

It may be stated in this connection that John B. Allen made the first application for the preemption of homestead land in Arizona. Under date of July 27th, 1864, he sent from Tucson to the Surveyor-General of Arizona the following:

"The Surveyor-General of Arizona is hereby notified that, in pursuance of law, I, John B. Allen, of the First Judicial District, in the Ter-

ritory of Arizona, have pre-empted a tract of land containing one hundred and sixty acres, lying about two miles west of the southwest corner of the Pimas and Maricopas reservation, and enclosing what is known and designated as the Maricopa Wells."

John B. Allen was an old pioneer and a business man in Tucson. Like all pioneers he had many ups and downs during his life. He was a pioneer merchant of Tombstone, and after that settled in Florence and represented the Territory several times in the Legislature. He was a man of great energy and force of character; too generous for his own good; universally respected on account of his integrity and loyal worth. He passed to his reward about twenty years ago, regretted by a host of pioneers who had known him in those early days which tried the mettle of the hardy adventurer.

## CHAPTER XVII.

### THE COLORADO RIVER INDIAN RESERVATION.

METHODS OF INDIAN AGENTS—C. B. GENUNG'S ACCOUNT OF JOURNEY TO ARIZONA—PRESENTS GIFTS TO INDIANS—PLACED IN CHARGE OF RESERVATION—TAKES OUT DITCH AND ENCOURAGES INDIANS IN AGRICULTURAL PURSUITS — RESIGNS — GOES TO CALIFORNIA TO PURCHASE HORSES FOR INDIANS — PLACES YAVAPAIS ON SAN CARLOS RESERVATION—ABANDONMENT OF DITCH.

The following, contributed by C. B. Genung, shows the difficulties confronting the traveller from California to Arizona, and also gives an account of his experiences as a Deputy Indian Agent. The treachery shown by the Indian agents in general to their wards proves that had the government been careful in the selection of agents and paid them a decent salary, much of the difficulty surrounding the Indian question might have been obviated. At this late day we can, of course, impartially review the situation, and it is the general opinion of those who look over the past from an entirely unprejudiced standpoint, that General Crook was right when he said that the Indians always respected their treaties, and that the white man never did. The story of the treatment of the Indians upon the reservations in those early days will probably never be truthfully recorded. Men were sent out to take charge of these reservations as they were created, and paid a meager salary of fifteen hundred or two thousand dollars a year in green-

backs, then worth from fifty to sixty cents on the dollar, and it goes without saying that men who would take such a position did so, not for the salary paid them, but for the little things that a gentleman might pick up in the way of contracts and general grafting.

As this history progresses there will be many incidents related going to show the wrongs practiced upon the Indians by the agents of the government.

Mr. Genung's story is as follows:

"While in San Francisco in the winter of 1866–67, Mr. R. W. Gird, with whom I had been acquainted in Arizona in 1863–64, called upon me at my mother's home, and told me that Mr. George W. Dent, who had just been appointed Superintendent of Indian Affairs for the Pacific Coast, wished to meet me and would like to have me call upon him at his hotel, the Cosmopolitan. The following day I called upon Mr. Dent, made myself known, and was introduced to his secretary, Mr. Charles Hutchings. Mr. Dent told me that he was preparing to go to Arizona, and had been told by Mr. Gird that I was familiar with the road and was going to the Territory myself. I told him that I was only waiting to have a still finished and crated, and was in hopes to get off on the next steamer that sailed for Wilmington or San Pedro. It was arranged that we would go together, and that day I accompanied Mr. Dent to Kimball's carriage factory and we picked out a suitable wagon for desert travel. We also went to Main & Winchester's harness shop and bought harness for four horses; and we all got off on the next steamer, my

still being about the last freight loaded before sailing.

"On the steamer I met Levy Bashford and his family, which was composed of Mrs. Bashford and their son Coles, a boy of about ten or eleven years old.

"Arriving at Los Angeles, Mr. Dent asked me to buy four good horses for him to work to the Territory, and I bought four good ones. Bashford, whom I had met in Arizona in 1864 when he came to where Prescott now is with the troops (I bought a pair of boots from him, as he had several cases of boots that he had brought from the East, and that is how we became acquainted), had expressed a desire to accompany us to the Territory. I was in a hurry, but decided to wait for Bashford to get ready as Dent was willing. So we waited two or three days for Bashford to find an outfit that would suit him. I then started by stage for San Bernardino, where my horses were on pasture since the year before, when I came from Arizona.

"Bashford came through to San Bernardino with two horses, and there bought another pair from a brother of Charles D. Poston, who had the first mail contract from San Bernardino to La Paz. The first day our train reached Newt. Noble's ranch—thirty miles—where we stayed all night. At San Bernardino Dent had hired a man to drive his team through, and had promised him and his partner work after they got to the Colorado River Reservation, but at Noble's ranch we heard that the Apaches had been depredating on a large scale in the Territory, so the driver of Dent's wagon struck for higher wages. Dent asked me what to do about it, and I told

him to let them both go, and I would drive his team through.

"The team was full of life and hard to handle, and the driver thought he had Dent in a tight place, but he was mistaken. I tied my horses behind Bashford's wagon, and got up on to the driver's seat in Dent's wagon after Dent had settled with his driver. The two men were holding the leaders when I got up there to take the lines, and as soon as I picked up the lines I noticed that the two men had buckled the lines into the halter rings on the leaders instead of into the bridle bits. I covered them with my forty-five, and they quickly put the lines where they belonged. Had I not noticed the trick, we would have had a smashup, for the horses started on the jump. Noble's house was on the edge of a canyon which the crooked road led down into, and it was a rough place to handle a running team.

"We had a pleasant trip to La Paz, and there we first heard the news of the killing of Leihy, his clerk and two friendly Indians, in Bell's Canyon, near Kirkland Valley. Dent was coming to relieve Leihy, who had been superintendent for several years.

"We also heard at La Paz that the Indians had made a raid on Prescott and carried Mrs. Governor McCormick into captivity, besides killing many people, which was absolutely false. Still the report caused delays in travel, and Bashford would not undertake the journey without a strong escort; consequently we were delayed for nearly one month waiting for teams to come that were on the road from San Bernardino.

"Before leaving San Francisco Dent had shipped, via the Gulf of California and the Colorado River a large consignment of annuities for the Indians—the first they had ever received—and soon after we reached La Paz the goods arrived.

"About the first man that I met when I got off the wagon at La Paz was an Indian that I had known at Peeples' Ranch, whom we called Tom. He was a brother of Jack, who rendered such good service when he accompanied King Woolsey at the time when Woolsey made the Pinole Treaty. I told Tom that Mr. Dent was bringing a lot of presents from the Great Father for all the friendly Indians, and that he had better send word to the nearby Yavapais to come and get their share.

"Here I will say, for the benefit of the newcomer, that what are now known as Apache-Mohaves, or Apache-Yumas were, before the treaty of 1863 at Agua Caliente between the Mohaves, Yumas, Pimas, Maricopas and Yavapais, on the one side, and John Moss and Pauline Weaver in behalf of the Americans on the other side, known as Yavapai-Apaches. (More about the treaty later.)

"Tom accordingly sent out word to the Indians who lived within sixty or eighty miles, and quite a number of the men came to La Paz in time to share in the big eat and the distribution of the annuities. There were blankets, shoes, red flannel, calico, domestic articles, needles, thread, clothing, cotton handkerchiefs, butcher-knives, shirts, beef, beans, flour, sugar, coffee, and tobacco, to be distributed, and Dent asked me to stay and take charge of the whole

works, which I did. A few of the Yavapais arrived a few days before the day of distribution, and I had a beef killed and given out with other rations that none might want for food while waiting for the great event.

"Of the Mohaves there were eight captains: Iritaba, whom we called 'General,' as he was the head chief; Quat-ho-co-rowa, a son of Iritaba; Mockneal, Moqutta, Tomaspa, Athe-he-malya, and Jose Chappo, and one more whose name I do not recall.

"Of the Yavapais there were: Quashacamo, the head chief; Potamkay, the great medicine man; Ah-hotch-ah-cama, Ah-hot-cutchawalka, Meal-yac-a-tuma, and three more whose names I do not remember at present. There were none of the people from the Ah-ha-seyampa (Wickenburg), Walnut Grove, or Humbug Creek, and only Tom from Peeples' Valley. So I made up a bundle of red flannel, gaudy colored red handkerchiefs, etc., as presents to them, and sent them by Tom, as well as a pair of pants that would about fit Jack, and a red shirt and pocket handkerchief, not forgetting to put some needles and thread into the bundle that I sent by Tom to Peeples' Ranch or Valley.

"After the distribution, there having come to La Paz several trains, some of which had travelled on to overtake people who were waiting at or near Culling's Well for re-enforcement, the Bashfords and I started for Prescott. We made stations every night, and at Culling's Well I left the party and overtook Joseph R. Walker and Jake Lind, who had a mule pack-train and were camped about twelve miles from the well.

"The next day the whole wagon train came along about noon, the team that had my distillery with the rest, and we moved on without any trouble from the Apaches, Joe Walker and I scouting the country until we got to Kirkland Valley, where I left the party and went to Walnut Grove, where my distillery was to be established.

"While in La Paz Mr. Dent, the superintendent, had made me several propositions for the purpose of getting me to remain with him and take charge of the Indians in order to induce them to go on to the reservation. The Mohaves at that time were scattered from Bradshaw's Ferry on the California side of the Colorado, to Cottonwood Island, above Hardyville, in Mohave County. I declined his offer, but after I had reached Walnut Grove I received several letters from him, and in July following, C. W. Beach brought me a letter in person from Dent in which he proposed to give me the trading-post on the reservation if I would undertake to collect all of the scattering Indians of the two tribes of Yavapais and Mohaves, and get them to go on the reservation and dig an irrigating ditch, promising to give the Indians soldiers' rations, and pay them by the day for their work; also to pay me one thousand dollars a year as head farmer. After consulting with my partner, Elijah Smith, I decided to accept the offer, and started to La Paz.

"I arrived at La Paz on July 24th, 1867, and at once commenced my work of getting the Indians together. I sent runners out among the Yavapais who lived along Williams Fork, the Santa Maria, and as far as Peeples' Valley; also

to the Ah-ha-quahala, Ah-ha-cawa, and across the Ah-ha-seyampa to the Bradshaws, to induce the Indians to come to the reservation. I instructed the runners thoroughly as to the promises that Dent had made to me, and also promised them to stay on the reservation and look out for the interests of the Yavapais myself. I also gathered up what scattering Indians there were on the California side of the river and around La Paz, and moved them up the river about forty miles where there was some very desirable land to plant and quite a number of Indians located and doing a little planting.

"July 27th I arrived on the ground with two men, Linsey and Murray, with a four-horse load of supplies and seeds, and made my first camp at a point about four miles below where Parker now is, and began my farming on the Colorado as head farmer. There had been a very high water that year in the fore part of July, and there was plenty of damp ground ready for the seed after the ground was cleared of more or less brush. I had the Indians at it as fast as I could get them located, and each one marked off as much as he wanted to plant, in irregular-shaped pieces, and wherever he chose, each being careful not to encroach upon his neighbor who had come before him. I issued a large variety of seeds, but with the exception of pumpkins, squash, and melons, I had to use a considerable amount of persuasion to get them to plant just a little. I induced one old fellow to plant quite a large patch of large white Dent corn. I think he did it through courtesy to me, for the other Indians said it would not make corn, and it did

not—only large stalks and cobs with a few scattering kernels.

"With a few exceptions the Yavapais did not arrive until it was too late to plant. Consequently, as they had brought very little, if any, food with them, I had to get rations pretty fast. That year there was a bountiful crop of mesquite beans, and the Indians got along pretty well for a while, as they made a bread, as well as a very palatable drink, out of the beans.

"No provision had been made for storing supplies, and, in fact, there was not much except beans, flour, and strong salt pork to store and distribute. So soon as the Mohaves were through with their planting, I started to work on the ditch that had already been surveyed by a man named P. Waldemar. At all events, the survey had been made, and I started to work with all the Indians that came on an appointed day. If I remember right, about eighty went to work the first morning. A few had their own shovels, and a few had axes. Those having no tools I supplied from a stock that I had brought when I came. Dent had promised to send me some help as timekeepers, more tools, and a lot of small rope to mark the line of the ditch on both sides, but he failed to keep his promise in this as he did in all other matters.

"I had looked over the survey carefully and concluded to start work at the point where the water would come to the surface when there was four feet in depth of water in the ditch. At that point there was but little brush or trees for about a quarter of a mile, and by working there the Indians could make quite a showing each day, while if I had started at the intake, I should have

had to employ men who could handle powder, and perhaps run a tunnel through the point of a mesa.

"I gathered up about a hundred feet of rope and stretched it along one side of the ditch, and placed as many of the Indians along the line as could work without crowding. On the other side I made a mark and put the balance that did not have axes on that side. I put Murray in charge of the axe gang, and I tried to look after the diggers, while Linsey was left to do our cooking and keep camp.

"I did not know at that time that the Mohaves never stole or touched anything that did not belong to them. This I learned in due time. The only thing that I lost through theft in my seven and a half months' stay on the reservation, was a large loaf of bread baked in a Dutch oven. It was taken one night out of the oven, which had been left by the camp fire a short distance from the shade where I slept with the other men, by a Fort Mohave Indian who had been down to the reserve on a visit, and had captured the heart of one of the young girls of the tribe. As he did not have the cash or other negotiable asset to pay for the girl, he had stolen her, and took my bread to eat on the road, which it would take two or three days to travel. When the cook missed the bread, as soon as he was up in the morning and raised a hubbub, I told an Indian boy to look for tracks. In about two minutes he read the sign: 'One Injun, one squaw took it. He gone up river.' Later in the day I learned of the elopement.

"About the third day after I started work on the ditch, the four-horse team arrived from La

Paz with tools and provisions, and with it came H. H. Carter, then a smooth-faced boy, and now living at or near Prescott, and young Fred Dent, son of G. W. Dent, and not more than eighteen or nineteen years old. They came as time-keepers and assistants to help me to manage and learn eight or nine hundred Indians how to farm and do other work.

"I had promised the Indians, by Dent's instructions, fifty cents a day, they to have their pay every night. I had no money to pay the Indians when the first day's work was done, but gave each one a slip of paper with his number on it. Very few of the Indians had names that I could get them to tell, hence the numbers. Each day I would make an additional mark on the piece of paper, but when the wagon came and no money to pay off, I was up against a hard proposition. I explained to the Indians that the money had not come to La Paz when the team left, but that Mr. Dent would send it as soon as it arrived from California. This story partly reconciled the Indians, and they continued work, but not with the heart and cheerfulness that they had started in with. My force of diggers did not increase any until the money came, only the older ones replenishing the ranks as the young and strong Indians dropped out, more or less disgusted. Some of those who took the places of the younger men were not really able to work, but I could make no distinction under the circumstances, and was glad to have them as they were setting a good example for the young men.

"Finally, after a long delay, money came in the shape of silver and small currency. Some of the Indians knew the value of the bills, that is,

they knew a one dollar bill from a two dollar bill, but when it came to five, it looked to them just the same as a two, and I, together with the other white men, was called upon at all times to determine the value of a two or five dollar bill.

"From the pay day I told the Indians that I should only pay the money once a week—on Sunday. I had been instructed by the God-fearing officials not to work on Sunday, and the Indians to this day believe in keeping the seventh day sacred—from work!

"After about one month from the time it was promised me, there was an oven built and a man named Thomas Bidwell sent to bake bread for the working Indians. One loaf a day was promised to each Indian, besides the fifty cents.

"As soon as I had begun to pay them, the Indians gained confidence and began to swell the ranks of my working force, and with the loaf of bread and cash weekly payments, and the arrival of some Apaches from the nearer mountains where they lived, I had all the hands that I had tools for. All the Apaches that were able to work were anxious and willing to work, and although they knew absolutely nothing about the use of tools, they soon proved themselves much the better workers. The loaf of bread was a great stimulus to them, as they came without food, and the rations issued to them were rather light when it came to filling up an entirely empty stomach. I will say here that some of the old and sick Apaches died on the trail while trying to reach the reservation.

"The Apaches would not eat fish, and came too late to plant, and, the Mohaves having gathered

nearly all of the mesquite beans before the Apaches arrived, they were entirely dependent on what was issued to them.

"Late in the fall I was instructed to build some houses, and a crew of men was sent from La Paz to do the work. The Indians made the adobes, and Fred T. Williams, now of Prescott, and a man named Morgan, laid them. The buildings are still in use at the agency.

"About the 1st of January, 1868, I was having considerable trouble with the Apaches. They were complaining of being hungry, which I knew was a fact, and I wrote Dent asking for a more liberal allowance of provisions, but to no purpose. As I was responsible for the Indians being there, I felt it my duty to see that they got what was promised to them. So in February I went to La Paz to consult with Dent. I had investigated the matter closely, and had learned that in some of the companies the rations did not amount to more than four ounces of food per day per capita.

"At this point I will explain that the rations were issued once a week to each captain, regardless of the number of his people. All got the same amount; whether he had twenty followers or forty, it was just the same.

"The Apaches had left their country voluntarily; had given it up to the white men without a struggle, and had come on to the reservation with the understanding, through my promises, that they were to be amply provided for until an irrigating canal could be dug, so that they could make homes for themselves, and a living. They had endured great hardships at the hands of the whites in the mountains around Prescott and

Weaver; had been murdered by the score when they were sticking fast to the treaty that they had made with the Pimas, Maricopas, Yumas, and Mohaves on the side of the Indians, and Pauline Weaver and John Moss, who represented the whites. This treaty was made near the Agua Caliente on the Gila River in June, 1863. This tribe was small, not having more than four hundred souls, and the Eastern Apaches preyed upon them, never allowing them to have a horse or any other kind of stock, and frequently capturing their young women and girls and making slaves of them. That was why they were glad to make friends with the whites, and assisted the white men in raids against the Tontos or Eastern Indians.

"This, and much more, I explained to Dent, but I could get no satisfaction out of him. So I resigned, and that was just what he wanted. He had used me to get the Indians together, with a promise that I should be made post-trader, and now that the Indians were there, he had another party that he could make more out of, and who would make any kind of an affidavit that was wanted. This party had already sent several tons of goods to the reservation, and started a store, and was taking in all kinds of money. As there were sometimes as many as two hundred and eighty Indians at work at fifty cents a day, a lot of money was going into the Indians' hands.

"There was a fine growth of six weeks' grass on the overflowed land, and when it was in good condition, I had a lot of it cut and put into a stack, which, when it was well settled, I measured and found there was thirty tons of it. I so reported to Dent. Later on, the hay caught fire

and burned, and Dent sent me an affidavit to sign in which the hay was claimed to have been eighty tons. In my controversy with Dent I put that up to him. I had not signed the false statement, and Dent did not like it.

"Well, after I had my voucher, I went to the reservation and had a talk with my partner, Elijah Smith, who had rented our ranch at Walnut Grove, and come down and gone to work, driving team on the reservation.

"When I told the Apaches that I was going, it created a great hubbub, and they had a big powwow that night; wanted to know where I was going, and I told them to California, which Smith and I had concluded to do. The next day there were no Apaches at work. They came to me and offered to go with me if I could give them work, which, of course, I could not do.

"I remained at my camp that day, and Smith and I got everything ready to go to La Paz the next day. That night the Apaches asked if I could not get them some young horses—one-year olds, and 2 year olds, which I undertook to do. So it was arranged that a man named Ayers and I should go to San Bernardino, and bring out a band of colts to sell to the Indians. Twenty-five dollars to thirty dollars was about what they would pay for colts.

"We went to the San Jacinto Ranch and bought a lot of colts at seven dollars a head, and some good saddle horses as well, and started back to Arizona with them. At the Smith ranch in the San Gorgonia Pass, where we held the colts a few days to get them gentle to corral and drive, we saw Dent, who was coming to California. The Smith station was a trade station where they

changed horses and had meals. Dent inquired there what I was doing, and, when told, he at once wrote a letter and sent it back to Colonel Fuge, the agent at the reservation. I learned this when I got to a place on the Colorado River bottom, where I was met by a Mohave Indian who had been sent to meet me by Iritaba, the head man of the Mohaves. The Indian told me that Dent had instructed Colonel Fuge to have me arrested if I brought horses to sell to the Indians, as I was going to mount the Indians so they could go on the warpath against the whites. As soon as Dent learned that I had promised to bring the Indians horses from California, he had a lot of soldiers stationed near the reservation buildings. I believe they were brought up from Fort Yuma on a boat.

"Dent had his troubles in getting the soldiers there for nothing, for the first night after we left Smith's ranch, we lost all of the colts while trying to corral them at White Water Station. They became frightened at something and stampeded and scattered on us, and we had all we could do to hold the gentle horses, two of which were packed. We spent three days trying to find the colts, but succeeded in finding only seven head, which I traded to Carl Smith, son of Dr. Smith, for two saddle ponies, and came on to Arizona pretty well disgusted with the wild colt business.

"We bought the colts from the Estudillo Brothers in San Jacinto Valley, and one evening while sitting around a big camp fire, a big Indian walked up to the camp. He said nothing, but stood back a little, and when one of the Estudillos said, 'Buenas tardes,' the Indian did not answer

him. I spoke to him in the Mohave language, and he answered me promptly. I sized him up by his long hair as being either a Mohave or Yuma. The Indian had gone to California from Fort Mohave with two white men who had taken him along to see the country, and expected to bring him back to Fort Mohave. They had gone from San Bernardino to San Diego; then in coming back they had taken the Los Angeles road, which had forked off of the road that they had travelled in going to San Diego.

"It being cold in the morning the Indian had started out to walk, and when he got to where the road forked, he took the San Bernardino road and, as he was out of sight of the wagon, got lost! Who said an Injun never gets lost?

"I gave Mike (that was his name), something to eat, and some blankets, and told him who I was, and what I was doing there, and asked him if he wanted to go with us to the reservation, which pleased him wonderfully. Mike was a curiosity to the people there, and I had to explain the whole business to them, for our conversation had all been carried on in the Mohave language. What a strange piece of luck that Indian had. I doubt if there was another man in California who could talk the Mohave language, and if he had not met us there, the chances were good for him to have walked back to Fort Mohave.

"While Mike and Tex were looking after the horses at Smith's Ranch, I went to San Bernardino and bought a light saddle for Mike to ride, and if we had not lost the colts he would have been of great help to us in bringing them across the desert. As it was he was a good witness to

the loss of the colts when I got among the Indians, and they were to be made to understand what had happened. They tried to have me go back and get more horses. My excuse for not going after more was that I had no money to buy. In a short time an old Indian named Ah-the-he-malya came to me with an old hat in which were several hundred dollars in silver, and told me to take that and go and get horses. Then others came and offered me more silver, but I had had enough of handling wild colts on the desert, and declined their offers.

"The more I thought of what Dent had done and tried to do, the madder I got, and as soon as I got to La Paz and disposed of some of the gentle horses that I had brought, I went to the reservation. The Indians met me several miles below the agency buildings and warned me not to go there. Finally, Iritaba, the head man, met me and told me that the Indians were going to have a big talk that night, and wanted me to be present. So I concluded to camp with them that night, and they surely did have a big talk, most of which was rehearsing the shortcomings of the white men who had been sent among them by the Government; and they wound up by saying that Etho-co-sceelia, meaning me, was the only white man that acted square with them. When the conference broke up and I started to go where I had camped, Iritaba walked along beside me a little way, and then pulled my sleeve and said in an undertone, in his broken way:

"'Spose Colonel Fuge put you in calaboose to-morrow morning; him heap cry!'

"During the big talk the Indians had talked freely of the possibility of the outcome of the

matter in case I was arrested in the morning by the soldiers, expressing the belief that I should be put into a tent at their camp which was on the bank of the river where the pumping plant now is, and that I should be killed and thrown into the river. Then it would be reported that I had tried to escape and been shot while swimming the river. What grounds they had for their suspicions I never learned, but I had a Henry rifle in the agency building which I was there to get, and just before sunrise I rode up to the kitchen door and reached over my horse's head and knocked on the door. A man, a friend of mine named Tom Otterman, who was working there when I quit, and with whom I had left the Henry rifle, opened the door with his right hand and passed the gun to me, and his only remark was, 'She's full!' Then he threw the door wide open and stood there with his left hand hid behind the door casing.

"I had no more than rested my gun across my saddle when Colonel Fuge stepped out of his door at my left. I spoke to him, and told him I understood he had orders to arrest me and that I was there to see about it. He denied everything, and then I asked him what those ten soldiers and a sergeant were doing in that room, the door of which was between him and me. He said there were no soldiers there, upon which I told him he was a d—d liar, for I had just got a glimpse of one's cap at the window which was not more than ten or twelve feet from me. He dared not make a move or motion, for in walking out of his door he had gotten right in range of my rifle.

"When I had had my say I turned my horse's head and rode around the corner of the building, and a few jumps put me behind the mesquite trees which had not been cleared away. The road led down through the heavy mesquite and a dense growth of arrow weed, and there I met the whole fighting force of both the Mohaves and Apaches, all armed with whatever arms they were possessed of.

"I firmly believe that if there had been a shot fired that morning, the Indians would have killed all the white men on the reservation, me among the rest probably.

"The Indians had told Tom Otterman that I would be there early that morning for my gun, which accounted for his promptness in putting it into my hands.

"As I rode away old Qua-shackama followed after me and asked me to stay one more sleep. I was desirous of talking to the Apaches, so I told him that I would go down the river that day and return that evening and talk with the Apaches, warning him that I did not want the soldiers to know anything about it as they might make trouble. The old man said he would have his men on guard in case any soldiers came around.

"I went that day to where my partner Smith was camped on a slough near the river, and that night I went to the place agreed upon in the morning with Qua-shackama. I knew the Apaches were dissatisfied and hungry, but I wanted them to stay where they were, and did all that I could to prevail upon them to stick it out. I suggested finally that part of them stay and work, telling them that they could get suffi-

cient money with what they were receiving from the government to live on, but all my arguments availed not. They said they would rather go to the mountains and be killed than stay there hungry all the time; in the mountains sometimes they had plenty to eat, but there they were hungry all the time.

"I told them that I was going to California; that the next year I was going to the mine that I had found on the Ah-ha-seyampa, and described the place where I should live, and I believe they always kept track of me and my movements when I came back the next winter to work the Montgomery mine. They certainly must have kept watch of my movements, for the next winter after I had moved to Peeples' Valley, a bunch of them appeared at the bedroom window where my wife was dressing a baby, and scared her pretty badly, but when they called my name she realized who they were. I was gone that day to Kirkland Valley after our mail. The Indians soon left the place and went to the hills.

"A short time after that I met two of them while on my way to Camp Date Creek—at that time a two company government post—and induced them to go to the post with me. They were afraid of the soldiers, but I told them that I would not allow the soldiers to molest them, and would take them home with me the next day, which I did. That was the starter of getting all the Yavapais into the Date Creek post, and finally on to the San Carlos Reservation, and was the means of ending the Apache war.

"On the way from Date Creek to my ranch, Tom, one of the Indians, told me why the Indians were so dissatisfied about the River Reser-

vation. He said that as soon as I left to go after the horses and a new man was put in charge of the work, the new man did not dig the ditch as deep as I was digging it by the length of a shovel handle, about four and a half or five feet, and that some of the white men—Tom Otterman among the rest—said it was no good and that the water would never come down, which was the truth. The ditch was never used and to this day there are marks of the old workings to be seen—monuments to graft."

The foregoing shows the difficulties under which Mr. Genung labored in attempting to teach seven hundred or eight hundred Indians how to farm under the general direction of a superintendent inclined to peculation.

When Mr. Genung took charge of the Indians on this reservation, he was successful in gathering upon the reservation the Yavapais and the Mohaves, and, had time been given, there is little doubt but what the Wallapais would also have been induced to abandon their nomadic life and make homes upon the reservation, and had the Indian Agent kept the agreements made with the Indians, there is no doubt but what a useless and bloody war would have been avoided. As it was, the old men and women of the Mohaves remained on the reservation, while the young men, the most of them, went on foraging expeditions and the Yavapais and Wallapais went upon the warpath, with the result that in the year 1867, and, indeed, up to the time when General Crook took charge of the military in Arizona, some four years later, there was a succession of Indian outrages. It is said that between Williamson Valley and Prescott, in the

year 1868, there were eighteen men killed by the Indians. In the western part of Yavapai County, and the whole of Mohave County, there was a continual robbing of trains, and murdering of whites. One can hardly blame the Indians because they were forced, through starvation, to seek food wherever they could find it. There is no evidence that the annuities granted by the government were distributed before this time. Leihy, the former Indian agent, complained that there was no money to pay the freight. Whether Dent succeeded in securing these some twenty thousand dollars of supplies for the Indians, together with those granted annually during his administration, is a question.

As this history progresses it will be readily seen that much of the trouble with the Indian tribes in Arizona was the result of maladministration on the part of the Indian Agents.

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